Filed: 01/03/2023 17:20:41
Second Judicial District, Latah County
Tonya Dodge, Clerk of the Court
By: Deputy Clerk - Dodge, Tonya

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

STATE OF IDAHO, Plaintiff, v. BRYAN C. KOHBERGER Defendant.	Case No. CR29-22-2805 NONDISSEMINATION ORDER

The Court, by stipulation of the parties, enters its Order as follows:

IT IS HEREBY ORDERED that the parties to the above titled action, including investigators, law enforcement personnel, attorneys, and agents of the prosecuting attorney or defense attorney, are prohibited from making extrajudicial statements, written or oral, concerning this case, other than a quotation from or reference to, without comment, the public records of the case.

This order specifically prohibits any statement, which a reasonable person would expect to be disseminated by means of public communication that relates to the following:

1. Evidence regarding the occurrences or transactions involved in this case;
2. The character, credibility, or criminal record of a party;
3. The performance or results of any exmninations or tests or the refusal or failure of a party to submit to such tests or exmninations;

4. Any opinion as to the merits of the case or the claims or defense of a party;

5. Any other matter reasonably likely to interfere with a fair trial of this case, such as, but not limited to, the existence or contents of any confession, admission, or statement give by the Defendant, the possibility of a plea of guilt to the charged offense or a lesser offense, or any opinion as to the Defendant's guilt or innocence.

IT IS FURTHER ORDERED that no person covered by this order shall avoid its proscriptions by actions that indirectly, but deliberately, cause a violation of this order.

IT IS FURTHER ORDERED that this order, and all provisions thereof, shall remain in full force and effect throughout these proceedings, until such time as a verdict has been returned, unless modified by this court.

SO ORDERED **1/3/2023 4:58:57 PM**

Magistrate Judge

SUPERIOR COURT OF WASHINGTON FOR WHITMAN COUNTY

IN THE MATTER OF APPLICATION FOR SEARCH WARRANT

SW NO. 12-29-2022A
~~SEALED~~

ORDER SEALING DOCUMENTS

Clerk's Action Required

THIS MATTER, having come on for hearing upon the motion of the State of Washington; and the court having considered said motion, the files and records herein, and the affidavit of Dawn Daniels; and having entered FINDINGS OF FACT and CONCLUSIONS OF LAW therefrom; now therefore:

IT IS ORDERED that the clerk of this court shall seal the warrant, application for warrant, inventory/return, and the declaration in support of the motion to seal documents until March 1, 2023, or until earlier order of this court.

///

///

IT IS FURTHER ORDERED that (1) this ORDER and (2) the FINDINGS and CONCLUSIONS ON MOTION TO SEAL DOCUMENTS are exempt from the sealing requirement and shall be available for public inspection and copying.

Signed this 30th day of December, 2022.

Signature: _____
SUPERIOR COURT JUDGE/~~COMMISSIONER~~
Printed Judge's Name: GARY FIBEY

Presented by:
D. Tracy
Whitman County Prosecuting Attorney

By: _____
D Tracy, WSBA # 20383
~~[Senior] Deputy~~ Prosecuting Attorney
Criminal Division

SUPERIOR COURT OF WASHINGTON FOR WHITMAN COUNTY

IN THE MATTER OF APPLICATION FOR SEARCH WARRANT

SW NO. 12-29-2022B
~~**SEALED**~~

ORDER SEALING DOCUMENTS

Clerk's Action Required

THIS MATTER, having come on for hearing upon the motion of the State of Washington; and the court having considered said motion, the files and records herein, and the affidavit of Dawn Daniels; and having entered FINDINGS OF FACT and CONCLUSIONS OF LAW therefrom; now therefore:

IT IS ORDERED that the clerk of this court shall seal the warrant, application for warrant, inventory/return, and the declaration in support of the motion to seal documents until March 1, 2023, or until earlier order of this court.

///

///

IT IS FURTHER ORDERED that (1) this ORDER and (2) the FINDINGS and CONCLUSIONS ON MOTION TO SEAL DOCUMENTS are exempt from the sealing requirement and shall be available for public inspection and copying.

Signed this 30th day of December, 2022.

Signature: _____
SUPERIOR COURT JUDGE/~~COMMISSIONER~~
Printed Judge's Name: MARY E GIDEY

Presented by:
D. Tracy
Whitman County Prosecuting Attorney

By: _____
D Tracy, WSBA # 20383
~~[Senior] Deputy~~ Prosecuting Attorney
Criminal Division

Amendment read to Judge Libey on 12-30-2022 at approximately 1609 hours and recorded on body camera:

On 12-30-22 while service search warrant SW12292022A for Steptoe Apt G201 we found a padlock, round in shape, in the living room closet. Based on my training and experience I recognized the padlock to be the shape of locks typically used on storage units. The lock is round in shape and the design limits the ability for it to be cut off. A key matching the lock was also found in the living room in the tv stand next to keys which appear to be for the Wilson-Short office.

I had Ofc. Kirshner contact the apartment coordinator who confirmed there are storage closets available to residents located in the same buildings as the laundry areas. Sgt. Petlovany went to the area and confirmed there was a storage closet with the address "G201" written in black marker on the wood door. The storage closet is located in Building F of Steptoe Apartments.

The Storage door is not locked, and the door is slightly ajar. I believe the storage was likely used by Kohberger to store items and was likely accessed between the time of the murders and his travel to Pennsylvania. It is also believed the storage closet could contain trace evidence listed in #1 and #5 of evidence to be seized.

Judge, do you believe there is probable cause to believe these items may be found in the storage unit and do you authorize us to search the storage unit?

Declarant's Signature: _____
Declarant's Full Name: Dawn Daniels
Agency Badge/Serial or Personnel #: 302
Agency Name: Washington State University Police Dept.

Evidence Collection Log

Date: 12/30/2022 Lab Number: M2022-4843

Location: 1630 NE Valley Rd Analyst(s): H. Youngling

2201 Pullman WA

MARKER # OR IDENTIFIER	DESCRIPTION OF ITEM OF EVIDENCE	LOCATION	COLLECTION					
			PHOTO IN SITU	SWAB	CUTTING	COLLECT ITEM	NO COLLECTION	COLLECTED BY
1	one nitrile type black glove	Closet on N wall of entry way (west side)				X		T. Martin
2	one Walmart receipt with one dickies tag	Closet on N wall of entry way (west side)				X		
3	two marshalls receipts	Closet on N wall of entry way (west side)				X		
4	Dust container from "Bissell Power force" Vacuum	Closet N wall of entry way (East side)				X		
5 (item retained)	~~two~~ eight possible hair strands	head of "Libman" broom, Closet N wall of entry way (East side)				X		
6 (item retained)	~~AAA~~ "Fire TV" stick with cord/plug	plugged into back of "Samsung" TV west wall, livingroom TV stand				X		
7	possible animal hair strand under computer pad on desk in NE bedroom	NE bedroom, under computer pad on desk.				X		
8	possible hair East wall of shower on tile,	East wall of shower, on tile, bathroom				X		
9	possible hair inside drain of shower, bathroom	inside drain of shower bathroom				X		
10	possible hair under computer pad on desk in NE bedroom	Computer pad on desk in NE bedroom				X		↓

Evidence SAS Y / N

Evidence Collection Log

Date: 12/30/2022 Lab Number: M2022-4843

Location: 1630 NE Valley Rd G201 Analyst(s):

MARKER # OR IDENTIFIER	DESCRIPTION OF ITEM OF EVIDENCE	LOCATION	COLLECTION					
			PHOTO IN SITU	SWAB	CUTTING	COLLECT ITEM	NO COLLECTION	COLLECTED BY
11	one possible hair strand from uncased pillow, ~~east~~ north side of bed.	NE bedroom				X		T. Martinez
12	Computer tower from NE bedroom desk	NE bedroom *item not bagged, tagged w/ zip tie and info				X		J. Ayers

Presumptive Chemical Tests for Blood

Date: 12/30/22 Time: 1543 PST Lab Number: M2022-4843

Chemical Lot #: 1200-33620 Analyst(s): J. Ayers

Control (known blood) result: O-Tol POS: Blue/Green NEG: No immediate color change

Control (known blood) result: Phenol POS: Pink (circle results)

MARKER # OR IDENTIFIER	GENERAL DESCRIPTION OF STAIN AND/OR SURFACE, LOCATION	RESULTS			COLLECTION					
		POSITIVE	NEGATIVE	INCONCLUSIVE	SWAB	CUTTING	COLLECT ITEM	NO COLLECTION	COLLECTED BY	
	White towel from shelf of kitchen table. Diluted red brown irregular stain		X							
A	dark red spot, small-flaked off surface upon touch. West of sink, kitchen counter						X		J. Ayers	*Unable to test, collected w/o test
	Pizza cutter, top drawer west of sink, East of fridge. reddish scratch in Metal		X							
	Dark red irregular stain side panel of drawer - second west of sink		X							
	3/32 screw driver from bottom drawer, west of sink brown spot		X							
	Ajax bottle of soap, near bottom edge, on west side of sink small dark stain		X							
	Ajax bottle of soap, near bottom, linear stain		X							
	switch on north wall of kitchen behind sink. dark reddish stain		X							
	switch on north wall of kitchen behind sink, small dark reddish stain		X							
	pink/red irregular stain on edge of plate. From ~~drawer~~ cabinet west of sink		X							

Evidence turned over to at Evidence S&S- Y / N

Presumptive Chemical Tests for Blood

Date: Time: Lab Number:

Chemical Lot #: Analyst(s):

Control (known blood) result: O-Tol POS: Blue/Green NEG: No immediate color change

Control (known blood) result: Phenol POS: Pink (circle results)

MARKER # OR IDENTIFIER	GENERAL DESCRIPTION OF STAIN AND/OR SURFACE, LOCATION	RESULTS			COLLECTION				
		POSITIVE	NEGATIVE	INCONCLUSIVE	SWAB	CUTTING	COLLECT ITEM	NO COLLECTION	COLLECTED BY
	Microwave on Counter in Kitchen, NE corner. dark reddish long Stain in back		X						
	dark discoloration in grout of counter tile just South of microwave		X						
	orange drip South wall of Kitchen. East of window		X						
	NE bedroom. NE Closet. interior of north door. Dark red stains multiple, Irregular and pieces		X						
	Small red brown stain on Exterior door of NE closet in NE bedroom. (north door)		X						
	Edge of South door of NE Closet In NE bedroom. vem small red brown stain		X						
	Interior of South closet door North door. faint stains Swipe marks. NE room		X						
	Two small reddish brown irregular Stain. inside of South Closet. North		X						
	Irregular reddish brown stain. Inside south closet of NE room North Side of vertical wall in center		X						
	White towel on black/brown Stool. Dark brown Stain in towel fibers		X						

Evidence turned over to at Evidence S&S- Y / N

Presumptive Chemical Tests for Blood

Date: Time: Lab Number:

Chemical Lot #: Analyst(s):

Control (known blood) result: O-Tol POS: Blue/Green NEG: No immediate color change

Control (known blood) result: Phenol POS: Pink (circle results)

		RESULTS			COLLECTION				
MARKER # OR IDENTIFIER	GENERAL DESCRIPTION OF STAIN AND/OR SURFACE, LOCATION	POSITIVE	NEGATIVE	INCONCLUSIVE	SWAB	CUTTING	COLLECT ITEM	NO COLLECTION	COLLECTED BY
	gray smear. interior of South door of South closet of NE bedroom		X						
	~~between~~ of laundry basket underside. orange smear in NE room		X						
	light brown streak. outside corner of laundry basket NE bedroom		X						
	Exterior door of NE bedroom small red stain, round		X						
	irregular red stain Exterior door of NE bedroom		X						
	NE bedroom door jamb - west side of door jamb small brown stain		X						
	small red/brown stain, exterior of bathroom door		X						
	interior of bathroom door, small dark/red/brown irregular stain		X						
	interior of bathroom little red/brown stain		X						
	light reddish brown stain on outside edge of medicine cabinet		X						

Evidence turned over to at Evidence S&S- Y / N

Presumptive Chemical Tests for Blood

Date: Time: Lab Number:

Chemical Lot #: Analyst(s):

Control (known blood) result: O-Tol POS: Blue/Green NEG: No immediate color change

Control (known blood) result: Phenol POS: Pink (circle results)

		RESULTS			COLLECTION				
MARKER # OR IDENTIFIER	GENERAL DESCRIPTION OF STAIN AND/OR SURFACE, LOCATION	POSITIVE	NEGATIVE	INCONCLUSIVE	SWAB	CUTTING	COLLECT ITEM	NO COLLECTION	COLLECTED BY
	dilute brown stain on East side of door Jamb of toilet room in bathroom		X						
	small reddish brown stain on left edge of medicine cabinet mirror, bathroom		X						
	small brownish stain right inside edge of medicine cabinet, bathroom		X						
	brownish stain just above tile below towel rack below medicine cabinet, bathroom		X						
	west wall of shower below curtain rod. light gray linear stain		X						
	East sink of vanity wood front face below canter top light red stain irregular, bathroom		X						
	reddish brown stain, irregular shape left wall of cabinet under East sink, bathroom		X						
	reddish brown linear stain on right side of shelf of cabinet under East sink, bathroom		X						
	light orange/brown stain, linear irregular. Right side of sink, bathroom		X						
	~~East wall of shower~~ collected hair, see Collection log								

Evidence turned over to at Evidence S&S- Y / N

Presumptive Chemical Tests for Blood

Date: Time: Lab Number:

Chemical Lot #: Analyst(s):

Control (known blood) result: O-Tol POS: Blue/Green NEG: No immediate color change

Control (known blood) result: Phenol POS: Pink (circle results)

MARKER # OR IDENTIFIER	GENERAL DESCRIPTION OF STAIN AND/OR SURFACE, LOCATION	RESULTS			COLLECTION				
		POSITIVE	NEGATIVE	INCONCLUSIVE	SWAB	CUTTING	COLLECT ITEM	NO COLLECTION	COLLECTED BY
	Curtain rod in shower, under side of rod west end reddish stain		X						
	blind swab of East sink drain, bathroom		X						
	blind swab of west sink drain, bathroom		X						
	blind swab of shower drain, bathroom		X						
	tiny red stain on edge of door knob plate interior of entry door.		X						
	South of entn door in living room west wall, dark brown dripping stain		X						
	top, left side of computer pad. Dilute, round stain		X						
	top left side of Computer pad. Dilute, round stain		X						
B	reddish brown stain on uncased pillow, South side of bed. Two separate stains, only Cut larger stain tested	X					X		J. Ayers

Evidence turned over to at Evidence S&S- Y / N

Presumptive Chemical Tests for Blood

Date: 12/30/2022 Time: Lab Number:

Chemical Lot #: Analyst(s):

Control (known blood) result: O-Tol POS: Blue/Green NEG: No immediate color change

Control (known blood) result: Phenol POS: Pink (circle results)

		RESULTS			COLLECTION				
MARKER # OR IDENTIFIER	GENERAL DESCRIPTION OF STAIN AND/OR SURFACE, LOCATION	POSITIVE	NEGATIVE	INCONCLUSIVE	SWAB	CUTTING	COLLECT ITEM	NO COLLECTION	COLLECTED BY
C	matress cover on bed in NE room on edge facing doorway. Brown irregular drip	X					X		
	multiple stains present on cover Collected after one positive result; other stains not tested. cover								
un	zips into 2 pieces. top piece and bottom piece collected/packaged separately-both marked item C								
	underside of rug under coffee table in living room. Brownish staining, near tag. NW corner of rug.		X						
	linear brownish red stain on carpet in living room, under rug		X						

Nº WSU 03419

WASHINGTON STATE UNIVERSITY **POLICE DEPARTMENT**

Case #	Date	Reporting Officer	Personnel #	Date Items Collected	Locker #/Location:
22-004386	12-30-22	BRAD DANIELS	302	12 30 22	35

Item #	Quantity	ITEM DESCRIPTION:	Type of Evidence:	Needs Testing?	Send to Lab?	PROPERTY OWNER, Name/DOB Spillman Name #	ID Number Custodian	Evidence Location
1	1 Wgt	one nitrite type black glove in closet on N wall of entry way (west side)	Evid X FP Dest SK	Y N X	Y N X			
2	1 Wgt	Walmart receipt with one Dickies tag in closet on N wall of entry way (west side)	Evid X FP Dest SK	Y N X	Y N X			
3	2 Wgt	Marshalls Receipts closet on N wall of entry way (west side)	Evid X FP Dest SK	Y N X	Y N X			
4	1 Wgt	Dust container from "Bissell Power force" vacuum closet N wall of entry way (east side)	Evid X FP Dest SK	Y N X	Y N X			
5	8 Wgt	possible hair strands head of "Libman broom" closet N wall of entry way (east side)	Evid X FP Dest SK	Y N X	Y N X			
6	1 Wgt	"FIRE TV" Stick w/ cord/plug plugged into back of "Samsung" tv west wall, livingroom tv stand	Evid X FP Dest SK	Y N X	Y N X			

Distribution: White - With Evidence Pink - Case File Copy Green - Evidence Custodian

Search Warrant # SW12292022A

UNIVERSITY

POLICE DEPARTMENT

Item #	Date/Time	Relinquished By	Date/Time	Received By	Purpose for Change of Custody
1-4	Date 01-03-23 Time 1420 hrs	Name DAWN DANIELS Signature	Date 01.03.23 Time 1420 hrs	Name Jeff Talbott Signature	Trans Served to ISP
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	

Nº WSU 03420

WASHINGTON STATE UNIVERSITY **POLICE DEPARTMENT**

Case #	Date	Reporting Officer		Date Items Collected	Locker #/Location:
22-W4386	123022	DAWN DANIELS	Personnel # 302	Time Items Collected	35

Item #	Quantity	ITEM DESCRIPTION:	Type of Evidence:	Needs Testing?	Send to Lab?	PROPERTY OWNER, Name/DOB Spillman Name #	ID Number Custodian	Evidence Location
7	1 Wgt	Possible animal hair strand under computer pad on desk in NE Bdroom	Evid 6 FP Dest SK	Y N 6	Y N 6			
8	1 Wgt	Possible hair east wall of shower in bathroom on tile	Evid 6 FP Dest SK	Y N 6	Y N 6			
9	1 Wgt	Possible hair inside drain of shower on bathroom	Evid 7 FP Dest SK	Y N 6	Y N 7			
10	1 Wgt	Possible hair under computer pad on desk in NE Bedroom	Evid 6 FP Dest SK	Y N 6	Y N 6			
11	1 Wgt	Possible hair strand from ~~suspect~~ unknown pillow north side of bed NE Bedroom	Evid 10 FP Dest SK	Y N 6	Y N 6			
12	1 Wgt	Computer tower from desk NE Bedroom desk	Evid 11 FP Dest SK	Y N 6	Y N 6			

Distribution: White - With Evidence Pink - Case File Copy Green - Evidence Custodian

Search Warrant # SW12292022A

WASHINGTON STATE UNIVERSITY

POLICE DEPARTMENT

Item #	Date/Time	Relinquished By	Date/Time	Received By	Purpose for Change of Custody
7-12	Date 01-03-23 Time 1420 hrs	Name DANN DANIECS Signature	Date 01-03-23 Time	Name Jeff Talbott Signature	Transfer to ISP
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	

Nº WSU 03421

WASHINGTON STATE UNIVERSITY **POLICE DEPARTMENT**

Case #	Date	Reporting Officer	Date Items Collected	Locker #/Location:
22-W4386	12-30-22	DAWN DANIELS Personnel # 302	12-30-22 Time Items Collected	35

Item #	Quantity	ITEM DESCRIPTION:	Type of Evidence:	Needs Testing?	Send to Lab?	PROPERTY OWNER, Name/DOB Spillman Name #	ID Number Custodian	Evidence Location
A	1 Wgt	Collection of dark red spot, small flakes off surface upon touch west of sink, kitchen counter (collected w/ a test)	Evid X FP Dest SK	Y N X	Y N X			
B	2 Wgt	Cuttings from encased pillow - reddish/ brown stain south side of bed - two cuttings separate stains - only largest stain tested (in NE Room)	Evid X FP Dest SK	Y N X	Y N X			
C	2 Wgt	Mattress cover on bed in NE room - Top and bottom of cover collected each packaged separately, both labeled "C" multiple stains - one tested	Evid X FP Dest SK	Y N X	Y N X			
	Wgt		Evid FP Dest SK	Y N	Y N			
	Wgt		Evid FP Dest SK	Y N	Y N			
	Wgt		Evid FP Dest SK	Y N	Y N			

Distribution: White - With Evidence Pink - Case File Copy Green - Evidence Custodian

Search Warrant # SW12292022A

WASHINGTON STATE UNIVERSITY

POLICE DEPARTMENT

Item #	Date/Time	Relinquished By	Date/Time	Received By	Purpose for Change of Custody
A-C	Date 01-03-23 Time 1420 Hrs	Name DAWN DANIELS Signature	Date 01-03-23 Time 1420 Hrs	Name Jeff Talbott Signature	Transfer to ISP
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	
	Date Time	Name Signature	Date Time	Name Signature	

1406 hrs

On 12 30 22 while serving a search warrant SW 12292022 A for Steptoe Apt 6201 we found a padlock round in shape in the living room closet. Based on my training and experience I recognized the padlock to be the shape of locks typically used on storage units. The lock is round in shape and the design limits the ability for it to be cut off. A key matching the lock was also found in the living room in the tv stand next to keys which appear to be for the Wilson Street office.

I had ofc Kirchner contact the apartment coordinator who confirmed there are storage closets available to residents located in some buildings as the laundry areas. Sgt Pettaway went to the area and confirmed there was a storage closet with the address "G201" written in black marker on the wood door. The storage closet is located in Building F of Steptoe Apartments.

The storage door is not locked and the door is slightly ajar. I believed the storage was likely used by Kohberger to store items. It is also believed the storage closet could contain trace evidence listed in ¶ 4 and 5 of evidence to be seized

& likely accessed between the time of murders & his travel Pennsylvania

Dr now & find there is PC to believe those items may be found in this storage unit

I authorize

Gary J. Libey 1413 hrs

509 592 0658

On 12 30 2022 at approximately 1609 hours, Judge Gary J. Libey finds there is probable cause to believe the storage closet labeled "G201" in black marker on a wood door located in Building F of Steptoe Apartments may contain items listed as #1 and #5 in the section of items to be seized may be found in the storage unit. Also he authorizes the search of storage unit labeled "G201" located in Building F of Steptoe Apartments.

Signed Gary J. Libey
Superior Court Judge Whitman County

by Dawn Daniels 302
Asst. Chief of Police WSU PD
on 12302022 at 1613 hrs

See body camera recording for telephonic application

OFFICE OF THE SHERIFF OF LATAH COUNTY

522 S. Adams St.
Moscow, ID 83843
208-882-2216

SHERIFF'S CERTIFICATE OF SERVICE

State of Idaho)
County of Latah)

Court: _____
Case #: 2022251501
Document(s): 38
Key Retrieval doc.

Plaintiff: Washington State University

vs.

Defendant: Bryan Kohberger

I, Richard Skiles, Sheriff of Latah County, do hereby certify that I received the above document(s) for service on 01/06/2022, and that it was served by the Sheriff's Deputy who has signed this certificate, within the county of Latah, State of Idaho, by delivering to and leaving with:

Name of person served: Bryan Kohberger

Personally at: Latah County Jail

And that he/she is the:

X listed respondent
_____ person 18 or older living at residence
_____ registered agent / responsible party

At 1100 hours on 01/06/2023 (date)

The person being served has been identified by the serving Deputy, and has been served in accordance with the laws and rules of the State of Idaho.

Richard Skiles, Sheriff

By: Deputy [signature] 303

I hereby acknowledge receipt of these documents:

Signature of person served [signature]

RICHARD SKILES
(208) 882-2216

LATAH COUNTY SHERIFF
PO BOX 8068
MOSCOW, ID 83843

Paper ID: 202300010

PERSONAL RETURN OF SERVICE

WASHINGTON STATE UNIVERSITY
-- VS --
PLAINTIFF(S)

COURT:
CASE NO: 2022251501

BRYAN CHRISTOPHER KOHBERGER
DEFENDANT(S)

PAPER(S) SERVED:
LETTER

I, RICHARD SKILES, SHERIFF OF LATAH, STATE THAT THE ABOVE DESCRIBED DOCUMENTS WERE DELIVERED TO ME FOR SERVICE ON THE 6TH DAY OF JANUARY 2023.

I HEREBY CERTIFY THAT, ON THE 6TH DAY OF JANUARY 2023, AT 11:00 O'CLOCK A.M., I, LAUREAS JAN TATE, BEING DULY AUTHORIZED, SERVED THE ABOVE DESCRIBED DOCUMENTS IN THE ABOVE-ENTITLED MATTER UPON

* * * * * BRYAN CHRISTO KOHBERGER * * * * *

PERSONALLY AT: LATAH COUNTY JAIL, 522 S ADAMS ST, MOSCOW ID

WITHIN THE COUNTY OF LATAH, STATE OF IDAHO.

COMMENTS: DEFENDANT KEPT PAPERS TO BE REVIEW BY ATTORNEY AND STATED HE WOULD RETURN THEM AT A LATER DATE.

DATED THIS 6TH DAY OF JANUARY 2023.

RICHARD SKILES
SHERIFF

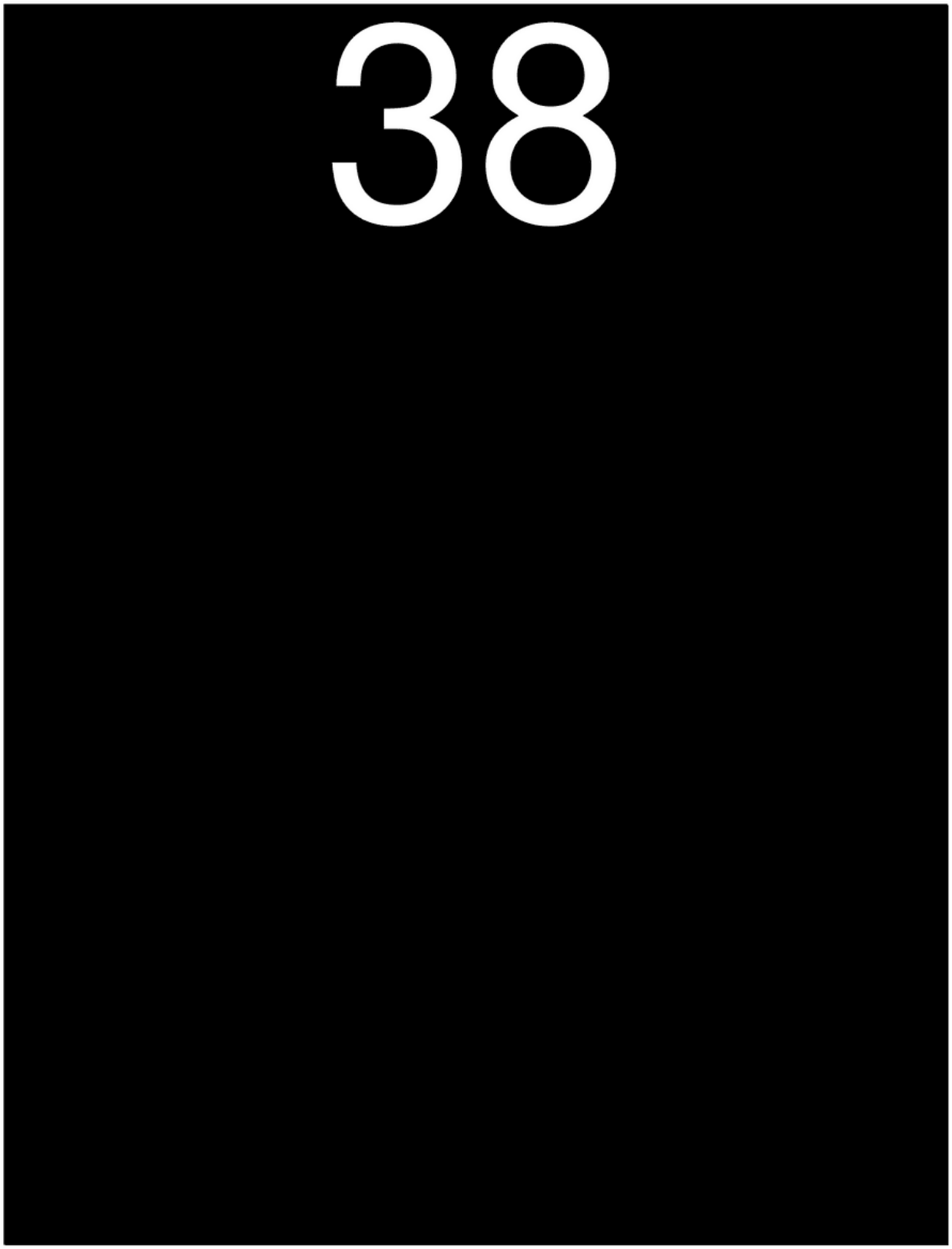
SHERIFF'S FEES:	0.00
TOTAL COLLECTED TO DATE:	0.00
AMOUNT UNCOLLECTED:	0.00

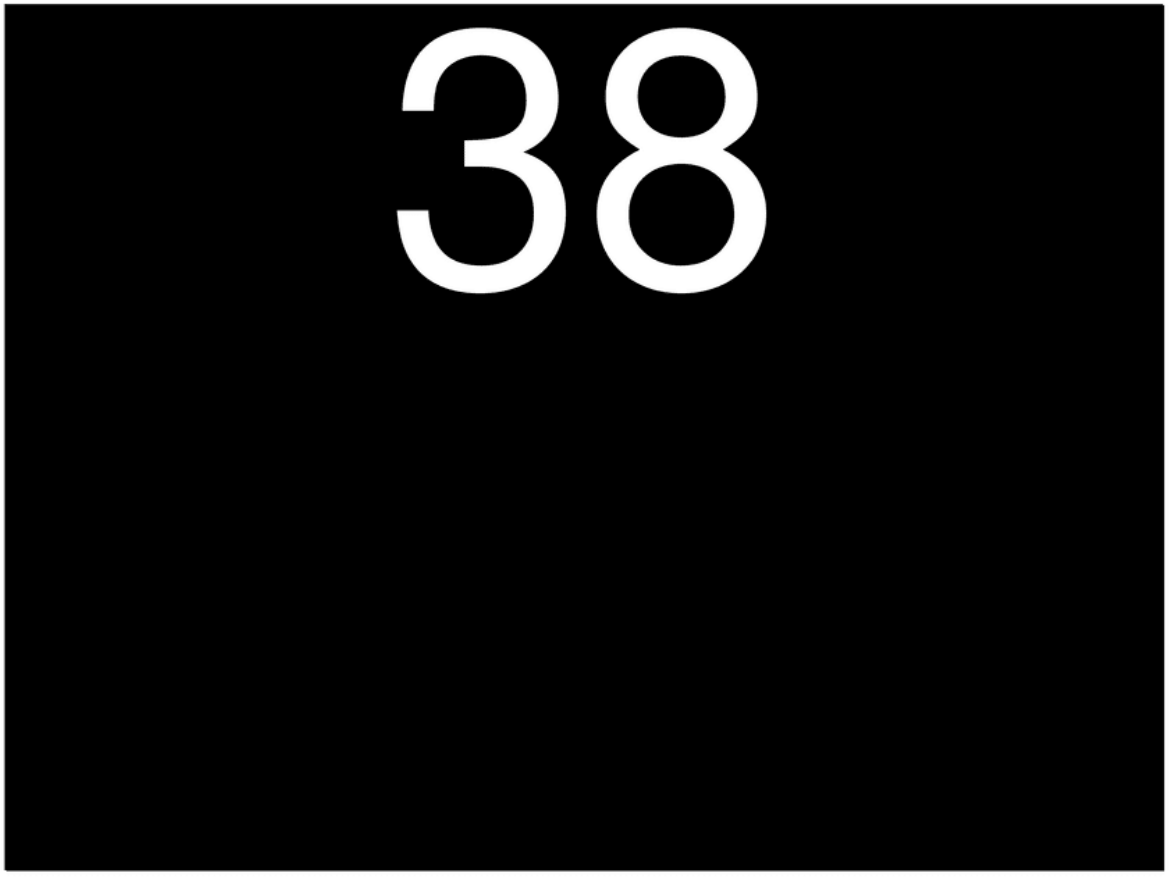
BY _____
LAUREAS JAN TATE
SERVING OFFICER

BY Jennifer Bryant
JENNIFER BRYANT
RETURNING OFFICER

38

122 French Administration, PO Box 64013, Pullman WA 99164-1013
509.335.5757 | Fax: 509.335.1208 | deanofstudents@wsu.edu | deanofstudents.wsu.edu


38


38

WASHINGTON STATE UNIVERSITY

Office of Public Safety
Gary Jenkins, Chief of Police

Consent to Enter Apartment and Retrieve Washington State University (WSU) Keys

Date: January 5, 2023

Addressee: Bryan Kohberger (DOB: 11-21-1994)

Address: 1630 NE Valley Rd G201
Pullman, WA 99163

RE: Consent to Enter Apartment and Retrieve WSU Keys

I, Bryan Kohberger, authorize representatives from Washington State University to enter my apartment, located at 1630 NE Valley Rd Apt G201, Pullman, WA, for the purpose of repossessing two keys that are the property of WSU.

_____ _____
Bryan Kohberger (Signature) Date

_____ _____ _____
Name of witness Date Signature of witness

CR29-22-2805

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

STATE OF IDAHO, Plaintiff, vs. BRYAN C. KOHBERGER, Defendant.	Case No. CR29-22-2805 AMENDED NONDISSEMINATION ORDER

There is a balance between protecting the right to a fair trial for all parties involved and the right to free expression as afforded under both the United States and Idaho Constitution. To preserve the right to a fair trial some curtailment of the dissemination of information in this case is necessary and authorized under the law.[1] Therefore, based upon the stipulation of the parties and with good cause,

IT IS HEREBY ORDERED:

1. The attorneys for any interested party in this case, including the prosecuting attorney, defense attorney, and any attorney representing a witness, victim, or victim's family, as well as the parties to the above entitled action, including but not limited to investigators, law enforcement personal, and agents for the prosecuting attorney or defense attorney, are prohibited from making extrajudicial statements (written or oral) concerning this case, except, without additional comment, a quotation from or reference to the official public record of the case.
2. This order specifically prohibits any statement, which a reasonable person would expect to be disseminated by means of public communication that relates to the

[1] *See* ABA STANDARDS FOR CRIMINAL JUSTICE: FAIR TRIAL AND PUBLIC DISCLOSURE (4th ed. 2016); IRPC Rule 3.6; *Sheppard v. Maxwell*, 384 U.S. 333 (1966); *Nebraska Press Ass'n v. Stuart*, 427 U.S. 539 (1976); *Gentile v. State Bar of Nevada*, 501 U.S. 1030 (1991).

following:

a. Evidence regarding the occurrences or transactions involved in the case;
b. The character, credibility, reputation, or criminal record of a party, victim, or witness, or the identity of a witness, or the expected testimony of a party, victim, or witness;
c. The performance or results of any examination or test or the refusal or failure of a person to submit to an examination or test;
d. Any opinion as to the merits of the case or the claims or defense of a party;
e. Any information a lawyer knows or reasonably should know is likely to be inadmissible as evidence in a trial and that would, if disclosed, create a substantial risk of prejudicing an impartial trial;
f. Any information reasonably likely to interfere with a fair trial in this case afforded under the United States and Idaho Constitution, such as the existence or contents of any confession, admission, or statement given by the Defendant, the possibility of a plea of guilt, or any opinion as to the Defendant's guilt or innocence.

IT IS FURTHER ORDERED that no individual covered by this order shall avoid its proscriptions by actions directly or indirectly, but deliberately, that result in violating this order.

IT IS FURTHER ORDERED that this order, and all provisions herein, shall remain in full force and effect throughout the entirety of this case unless otherwise ordered by this court.

Dated: 1/18/2023

Megan E. Marshall
Magistrate Judge

CLERK'S CERTIFICATE OF MAILING

I hereby certify that a true and complete copy of the foregoing was served as follows:

William Wofford Thompson	paservice@latahcountyid.gov	[X] By E-mail
Anne Taylor	pdfax@kcgov.us	[X] By E-mail

JULIE FRY
CLERK OF THE DISTRICT COURT

DATE 1/19/23

By: [signature]
Deputy Court Clerk

COPY
JAN 03 2023
JILL E.WHELCHEL
WHITMAN COUNTY CLERK

SUPERIOR COURT, WHITMAN COUNTY, WASHINGTON

IN THE MATTER OF APPLICAATION)
FOR SEARCH WARRANT)

SW NO: 12-29-2022A

MOTION TO TRANSFER CUSTODY OF ITEMS SEIZED AND ORDER

MOTION

Comes now the Whitman County Prosecutor and asks this Court to Order that the items seized under the authority of a search warrant in this matter, be transferred to the custody of the Idaho State Police, Detective Jeffory Talbott, as soon as can be reasonably accomplished.

BASIS

Assistant Chief Dawn Daniels, of the WSU Police Department informs this prosecutor that: all of the items seized under the authority of this search warrant in this matter are potential evidence of the criminal activity described in the Application For Search Warrant in this matter, which criminal conduct happened in the State of Idaho; the Washington law enforcement agency assisted the Idaho law enforcement agencies who were and are investigating and prosecuting that matter; the items seized are not needed in Washington, but are needed in Idaho as part of the criminal investigation described in the Application For Search Warrant.

Dated January 3, 2023.

Denis Tracy, Whitman County Prosecutor, 20383

ORDER

It is hereby Ordered that the WSU Police Department shall transfer all of the items seized under the authority of the search warrant in this matter -- to the Idaho State Police, Detective Jeffory Talbott as soon as can be reasonably accomplished.

Dated January 3, 2023.

Signature:
SUPERIOR COURT JUDGE
Printed Judge's Name: Gary Libey

KOOTENAI COUNTY PUBLIC DEFENDER

AUTHORIZATION GRANTING PERMISSION TO ENTER RESIDENCE AND OR PRIVATE PROPERTY

1630 NE Valley Rd Apt 201, Pullman WA 99163-4435

I, Bryan C. Kohberger, by this release, authorize and request that Anne C. Taylor, Public Defender, Jay Logsdon, Deputy Public Defender, the Office of the Public Defender of Kootenai County, or their representatives to make entry into my apartment located at, 1630 NE Valley Rd Apt 201, Pullman WA 99163-4435 for the purpose of collecting any personal remaining, and hold harmless of any claim arising from completing said task.

☑ I specifically authorize any personal property remaining in 1630 NE Valley Rd Apt 201, Pullman Washington to be taken to be taken from the apartment by Anne Taylor, Jay Logsdon, Michael McCarthy or Jennifer Jenquine.

Bryan C. Kohberger DOB: 11/21/1994

This authorization is made for the purpose of my legal representation by Anne Taylor and Jay Logsdon. I hereby release you and your agents in your individual and professional capacity from any and all liability arising within the limitations of this release form.

Bryan C. Kohberger
BRYAN C. KOHBERGER

01.19.2023
DATE

WASHINGTON STATE UNIVERSITY

Kelly Stewart
Police Sergeant | Badge #326
WSU POLICE DEPARTMENT

2201 E. Grimes Way, PO Box 641072, Pullman, WA 99164-1072
kdstewart@wsu.edu
(509) 335-4408 | Fax (509) 335-4239

Case # _____

SUPERIOR COURT, WHITMAN COUNTY, WASHINGTON

STATE OF WASHINGTON	)	**SW NO. 12-29-2022B**
	)	
COUNTY OF WHITMAN	)	**Return of Service of Search Warrant (Office)**

ISSUED BY:	**SUPERIOR COURT JUDGE GARY J. LIBEY**
DATE ISSUED:	**12-29-2022**
DATE SERVED:	**12-30-2022**
SERVED BY:	**ASST. CHIEF DAWN DANIELS, 302**
HOW SERVED:	**IN PERSON**
ITEMS SEIZED:	**No items seized**

Declarant's Signature: _____
Declarant's Full Name: Dawn Daniels
Agency Badge/Serial or Personnel #: 302
Agency Name: Washington State University Police Dept.

Return of Service of Warrant Approved:
Whitman County Prosecuting Attorney

By: _____
[Prosecutor name], WSBA #_____
[Senior] Deputy Prosecuting Attorney
Criminal Division

SUPERIOR COURT, WHITMAN COUNTY, WASHINGTON

STATE OF WASHINGTON	)	**SW NO. 12-29-2022A (amended)**
	)	
COUNTY OF WHITMAN	)	**Return of Service of Search Warrant (Residence and Storage Closet)**

ISSUED BY:	**SUPERIOR COURT JUDGE GARY J. LIBEY**
DATE ISSUED:	**12-29-2022**
DATE SERVED:	**12-30-2022**
SERVED BY:	**ASST. CHIEF DAWN DANIELS, 302**
HOW SERVED:	**IN PERSON**
ITEMS SEIZED:	**All seized from Residence and currently stored at WSU PD**

1. **One nitrite type black glove**
2. **1 Walmart receipt with one Dickies tag**
3. **2 Marshalls receipts**
4. **Dust container from "Bissell Power Force" vacuum**
5. **8 possible hair strands**
6. **1 "Fire TV" stick with cord/plug**
7. **1 possible animal hair strand**
8. **1 possible hair**
9. **1 possible hair**
10. **1 possible hair**
11. **1 possible hair strand**
12. **1 computer tower**

A. **1 collection of dark red spot (collected without testing)**

B. **2 cuttings from uncased pillow of reddish/brown stain (larger stain tested)**

C. **2 top and bottom of mattress cover packaged separately both labeled "C" multiple stains (one tested)**

Declarant's Signature: _____

Declarant's Full Name: Dawn Daniels
Agency Badge/Serial or Personnel #: 302
Agency Name: Washington State University Police Dept.

Return of Service of Warrant Approved:
Whitman County Prosecuting Attorney

By: _____
[Prosecutor name], WSBA #_____
[Senior] Deputy Prosecuting Attorney
Criminal Division

SUPERIOR COURT, WHITMAN COUNTY, WASHINGTON

STATE OF WASHINGTON	)	**SW NO.** 12-24-2022 B
	)	**SEALED**
COUNTY OF WHITMAN	)	**APPLICATION FOR SEARCH WARRANT (Office)**

Declaration

I, Dawn Daniels, Assistant Chief WSU Police Department, declare that I have personal knowledge of the matters herein and/or am relying on witness statements, information provided by my fellow officers, including fellow officers from the State of Idaho, reports, and other material I have gathered in my investigation, and that I am competent to testify to the matters stated herein:

On the basis of the following, I believe there is probable cause that Bryan Kohberger has committed the crime(s) of Murder First Degree, Idaho Code (IC) 18-4001, 4002, 4003, 4004, and Burglary, IC 18-1401, 1403 in Moscow, Idaho, and that:

- ☒ Evidence of those crimes;
- ☐ Contraband, the fruits of a crime, or things otherwise criminally possessed;
- ☐ Weapons or other things by means of which a crime has been committed or reasonably appears about to be committed;
- ☐ A person for whose arrest there is probable cause, or who is unlawfully restrained;

is located in, on, at, or about the following described premises, vehicle or person:

The office is inside Wilson-Short Hall on the WSU Pullman, WA campus. The address of Wilson-Short Hall is 1475 Glenn Terrell Mall, Pullman, WA

99163. Wilson-Short Hall is a multi-story brick building, housing multiple offices. The office to be searched is #12. #12 is a student office shared by Kohberger and two fellow WSU students, Kai-Xuan Chen and Nayoung Ko. It is on the ground floor and has the number 12 on a placard next to the door, and has three names on a piece of paper taped to the door, one of which is Bryan Kohberger.

Affiant

(1) I am a police officer at Washington State University Police Department, and have been so employed since July 20, 1998. I attended and successfully completed the 440-hour Washington State Criminal Justice Training Commission's Basic Law Enforcement Academy. While at the academy, I completed courses in Criminal Law, Criminal Procedures and other investigative courses. Since the academy, I have continued my education in various law enforcement related fields including Officer Involved Shooting, Evidence Collection, and Threat Assessment. I have investigated and assisted in the service of over 50 search warrants.

Persons providing information:

1. Moscow, Idaho Police Officer Sgt. Dustin Blaker. Sgt. Blaker's sworn statement is attached hereto as Exhibit A, and is hereby incorporated in this application for search warrant. Sgt. Blaker identifies his experience and training in his statement.
2. Other officers and witnesses are identified in Sgt. Blaker's sworn statement.

The Investigation

I was contacted by Moscow police officers and asked to assist their investigation into the recent murder of four people in Moscow, Idaho. Sgt. Blaker of the Moscow Police Department has developed probable cause to believe that a resident of Whitman County, Bryan Kohberger, committed the murders and burglary. I agree with Sgt. Blaker's statement that there is probable cause to believe that Kohberger committed the murders and burglary and that there is probable cause to believe that evidence of those crimes will be located in Kohberger's campus office, at

Office #12 in Wilson-Short Hall on the WSU campus in Pullman. I am seeking this search warrant to search that office.

The probable cause is described in detail in the attached Exhibit A, sworn statement of Sgt. Blaker, which is hereby incorporated herein by this reference, just as if fully set forth here.

Based on all the foregoing information, I believe that evidence of the above-listed crime(s) exists at the above-described location, and that there is probable cause to search that location for evidence of the above-listed crimes, including:

1. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, [redacted], and/or [redacted] and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.

2. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, [redacted], and/or [redacted]; and data compilations showing the location of Bryan Kohberger, or the cellphone with number 509-592-8458, on November 13, 2022, including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cellphones or computer towers/laptops/tablets. As example, but not intended to be an exclusive list of data compilations being sought: ledgers, papers, lists, books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

3. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, [redacted], and/or [redacted];
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;
- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

8. Indicia of residence in, or ownership or possession of, the premises and any of the above items, including mail, receipts, identification, bills, rental agreements, licensing documents and other personal property whose owner/possessor may be readily determined.

In addition, I am asking the court to authorize, in the service of the search warrant, the use of assistance from any law enforcement agencies from in the State of Idaho or the federal government, or any technical specialist associated with or employed by or contracted with such law enforcement agencies, including but not limited to the Moscow Police Department, Idaho State Police, FBI, Idaho State Police Forensic Services.

I am also asking for authorization of assistance from a technical specialist to review any digital devices and digital media for the best and least intrusive method of securing digital evidence that the warrant authorizes for seizure, and to assist in securing such evidence.

Supplemental Disclosure re DNA Test

I have been informed by Detective JR Talbott of the Idaho State Police, that:

1. On November 13, 2022, a sheath was recovered at the King Road Residence under or next to the body of Madison Mogen. The Idaho State Crime Lab obtained a male DNA profile (Suspect Profile) from the sheath. (This is also referred to in Sgt. Blaker's sworn statement – Exhibit A.)

2. On December 27, 2022, law enforcement agents/officers in Pennsylvania recovered trash that originated from the Kohberger family residence. That trash was sent to the

Idaho State Crime Lab for testing. On December 28, 2022, the Idaho State Lab reported that a DNA profile was obtained from the trash; it was compared to the Suspect DNA Profile; the Lab personnel concluded that the source of the trash dna profile was a male and was not being excluded as the biological father of the source of the Suspect Profile. At least 99.9998% of the male population would be expected to be excluded from the possibility of being the biological father of the source of the Suspect Profile.

This information is being provided to the court pursuant to my duty and obligation to be fully candid with the court. I do not believe this information is exculpatory for the suspect. However, if the court believes it is exculpatory, then the court should consider this supplemental disclosure in its evaluation of the existence of probable cause, or lack thereof.

But I am specifically asking the court to NOT consider this supplemental disclosure as evidence supporting the existence of probable cause. The reason for this request is that if the dna test results are held inadmissible at some point, such a ruling would not impact the finding of probable cause for this warrant, so long as this court is satisfied as to probable cause regardless of the dna test result.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed this 29th day of December, 2022, at Pullman, WA.

Declarant's Signature: _____

Declarant's Full Name: Dawn Daniels
Agency Badge/Serial or Personnel #: 302
Agency Name: Washington State University Police Dept.

On 29th day of December, 20__, I reviewed and considered the above application, submitted to me under penalty of perjury.

Signature: _____
SUPERIOR/DISTRICT COURT JUDGE
Printed Judge's Name: GARY S. TIBBS

Issuance of Warrant Approved:
Whitman County Prosecuting Attorney

By: _____
[Prosecutor name], WSBA # 20383
[Senior] Deputy Prosecuting Attorney
Criminal Division

SUPERIOR COURT, WHITMAN COUNTY, WASHINGTON

STATE OF WASHINGTON	)	**SW NO:** 12-29-2022 B
	)	**SEALED**
COUNTY OF WHITMAN	)	**SEARCH WARRANT**[1]
		(Office)

TO ANY PEACE OFFICER IN THE STATE OF WASHINGTON:

Upon the sworn complaint made before me, there is probable cause to believe that the crime(s) of Murder in the first degree and Burglary, per Idaho Code has been committed, in Idaho, and that evidence of that/those crime(s); or contraband, the fruits of crime, or things otherwise criminally possessed; or weapons or other things by means of which a crime has been committed or reasonably appears about to be committed; is concealed in or on certain premises.

In making this determination, this court did not consider the information in the 'Supplemental Disclosure re DNA Test' as evidence supporting the existence of probable cause. This court also does not consider the information in that Supplemental Disclosure to be exculpatory.

YOU ARE COMMANDED to:

1. Search, within 10 days of this date, the premises described as follows:

   The office is inside Wilson-Short Hall on the WSU Pullman, WA campus. The address of Wilson-Short Hall is 1475 Glenn Terrell Mall, Pullman, WA 99163. Wilson-Short Hall is a multi-story brick building, housing multiple offices. The office to be searched is #12. #12 is a student office shared by Kohberger and two fellow WSU students, Kai-

Xuan Chen and Nayoung Ko. It is on the ground floor and has the number 12 on a placard next to the door, and has three names on a piece of paper taped to the door, one of which is Bryan Kohberger.

2. Seize, if located, evidence of the above-listed crimes, including:

1. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, [redacted], and/or [redacted] and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.

2. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, [redacted], and/or [redacted]; and data compilations showing the location of Bryan Kohberger, or the cell phone with number 509-592-8458, on November 13, 2022, including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cell phones or computer towers/laptops/tablets. As example, but not intended to be an exclusive list of data compilations being sought: ledgers, papers, lists, books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

3. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard

drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, [redacted], and/or [redacted];
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;
- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

4. Indicia of residence in, or ownership or possession of, the premises and any of the above items, including mail, receipts, identification, bills, rental agreements, licensing documents and other personal property whose owner/possessor may be readily determined.

Assistance from any law enforcement agencies from the State of Idaho or the federal government, or any technical specialist associated with or employed by or contracted with such law enforcement agencies, including but not limited to the Moscow Police Department, Idaho State Police, FBI, Idaho State Police Forensic Services is authorized.

Assistance from a technical specialist is also authorized to review any digital devices and digital media for the best and least intrusive method of securing digital evidence that the warrant authorizes for seizure, and to assist in securing such evidence.

Promptly return this warrant to me or the clerk of this court; the return must include an inventory of all property seized.

A copy of the warrant and a receipt for the property taken shall be given to the person from whom or from whose premises property is taken. If no person is found in possession, a copy and receipt shall be conspicuously posted at the place where the property is found.

Date/Time: 12/29/2022 9:25 pm

Signature: [signature]
SUPERIOR COURT JUDGE
Printed Judge's Name: MARY SHIBEY

SUPERIOR COURT OF WASHINGTON FOR WHITMAN COUNTY

IN THE MATTER OF APPLICATION FOR SEARCH WARRANT

SW NO. 12-29-2022A
~~SEALED~~

ORDER SEALING DOCUMENTS

Clerk's Action Required

THIS MATTER, having come on for hearing upon the motion of the State of Washington; and the court having considered said motion, the files and records herein, and the affidavit of Dawn Daniels; and having entered FINDINGS OF FACT and CONCLUSIONS OF LAW therefrom; now therefore:

IT IS ORDERED that the clerk of this court shall seal the warrant, application for warrant, inventory/return, and the declaration in support of the motion to seal documents until March 1, 2023, or until earlier order of this court.

///

///

IT IS FURTHER ORDERED that (1) this ORDER and (2) the FINDINGS and CONCLUSIONS ON MOTION TO SEAL DOCUMENTS are exempt from the sealing requirement and shall be available for public inspection and copying.

Signed this 30th day of December, 2022.

Signature: _____
SUPERIOR COURT JUDGE/~~COMMISSIONER~~
Printed Judge's Name: GARY FIBEY

Presented by:
D. Tracy
Whitman County Prosecuting Attorney

By: _____
D Tracy, WSBA # 20383
~~[Senior] Deputy~~ Prosecuting Attorney
Criminal Division

SUPERIOR COURT OF WASHINGTON FOR WHITMAN COUNTY

IN THE MATTER OF APPLICATION FOR SEARCH WARRANT

SW NO. 12-29-2022B
~~**SEALED**~~

ORDER SEALING DOCUMENTS

Clerk's Action Required

THIS MATTER, having come on for hearing upon the motion of the State of Washington; and the court having considered said motion, the files and records herein, and the affidavit of Dawn Daniels; and having entered FINDINGS OF FACT and CONCLUSIONS OF LAW therefrom; now therefore:

IT IS ORDERED that the clerk of this court shall seal the warrant, application for warrant, inventory/return, and the declaration in support of the motion to seal documents until March 1, 2023, or until earlier order of this court.

///

///

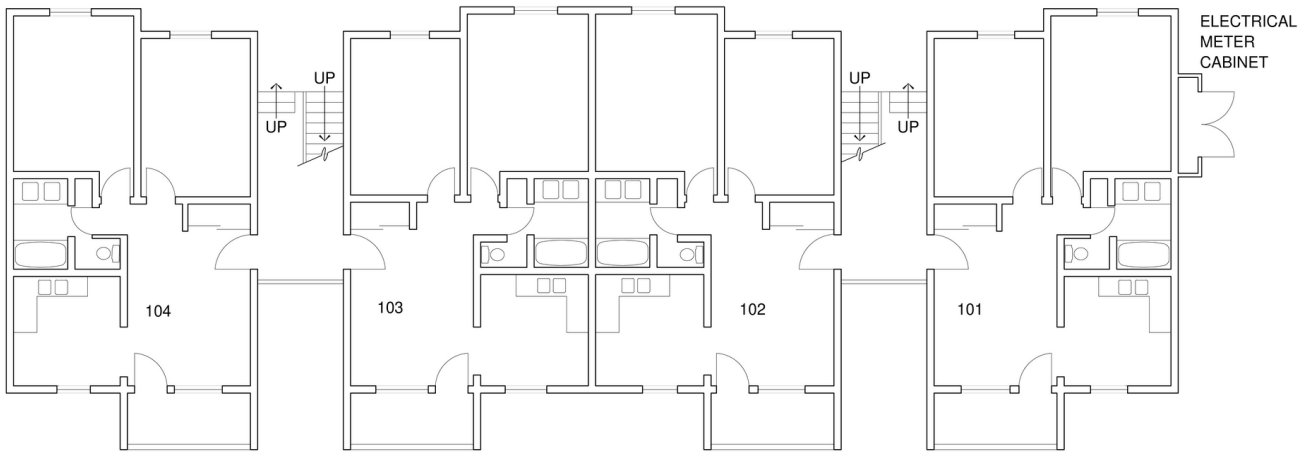
IT IS FURTHER ORDERED that (1) this ORDER and (2) the FINDINGS and CONCLUSIONS ON MOTION TO SEAL DOCUMENTS are exempt from the sealing requirement and shall be available for public inspection and copying.

Signed this 30th day of December, 2022.

Signature: _____
SUPERIOR COURT JUDGE/~~COMMISSIONER~~
Printed Judge's Name: MARY E GIDEY

Presented by:
D. Tracy
Whitman County Prosecuting Attorney

By: _____
D Tracy, WSBA # 20383
~~[Senior] Deputy~~ Prosecuting Attorney
Criminal Division



BUILDING SQUARE FOOTAGE	
FIRST FLOOR	3,433
SECOND FLOOR	3,433
THIRD FLOOR	3,433
TOTAL	10,299

FIRST FLOOR PLAN

GROSS SQUARE FEET
3,433
BLDG. TOTAL: 10,299 S.F.

REVISION DATES
09-08-2000
WSU FILE NO. 0665G_R01

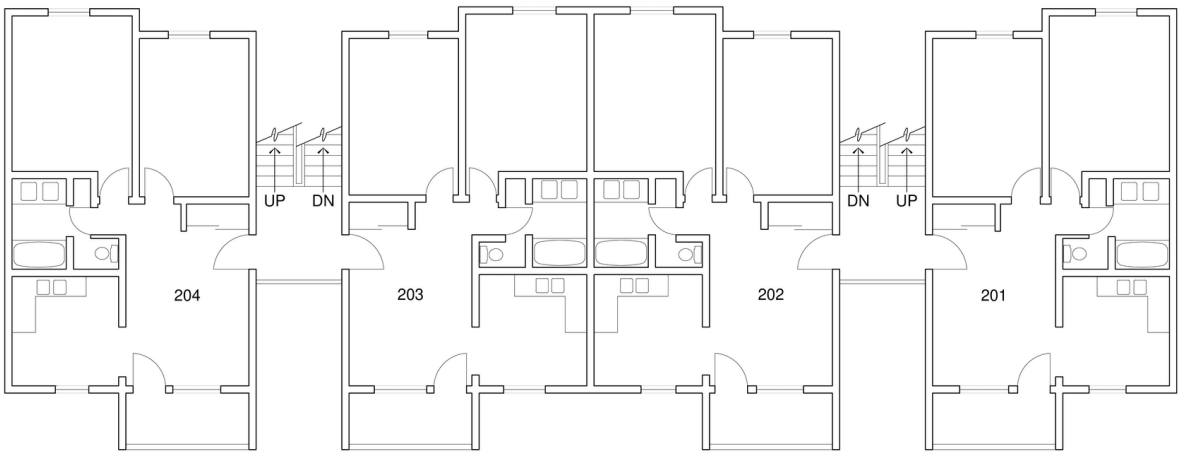
SCALE: 1/8" =1'
0 2 4 8

STEPTOE VILLAGE - BUILDING 'G'

NORTH

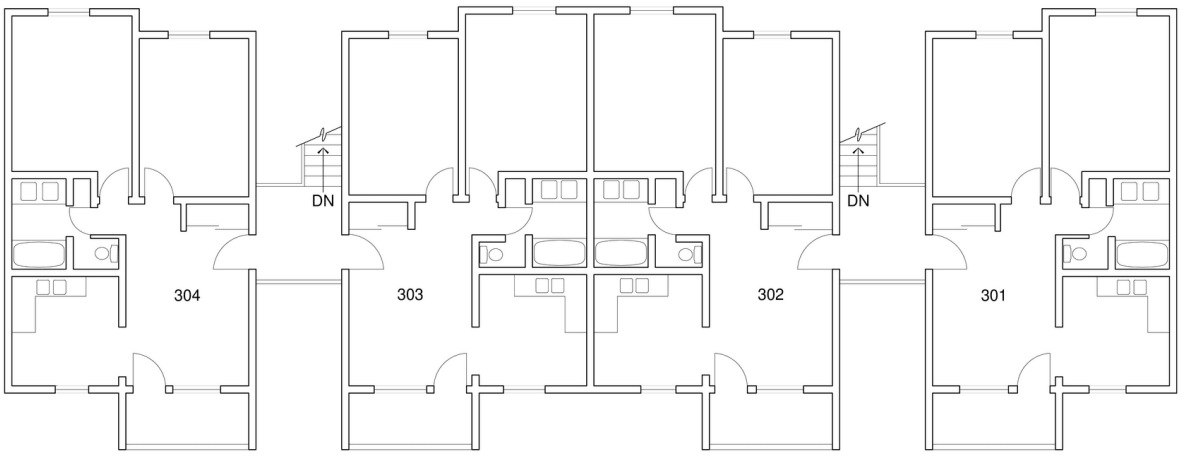
WASHINGTON STATE UNIVERSITY

BLDG. NO.
665G
SHEET NO.
R-1



SECOND FLOOR PLAN

GROSS SQUARE FEET **3,433** BLDG. TOTAL: 10,299 S.F.	REVISION DATES 09-08-2000 WSU FILE NO. 0665G_R02	SCALE: 1/8" =1' 0 2 4 8	**STEPTOE VILLAGE - BUILDING 'G'**	NORTH	WASHINGTON STATE UNIVERSITY	BLDG. NO. **665G** SHEET NO. **R-2**



THIRD FLOOR PLAN

GROSS SQUARE FEET **3,433** BLDG. TOTAL: 10,299 S.F.	REVISION DATES 09-08-2000 WSU FILE NO. 0665G_R03	SCALE: 1/8" =1' 0 2 4 8	**STEPTOE VILLAGE - BUILDING 'G'**	NORTH	WASHINGTON STATE UNIVERSITY	BLDG. NO. **665G** SHEET NO. **R-3**

FILED
JAN 17 2023
JILL E. WHI[illegible]
WHITMAN [illegible]

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHITMAN

IN THE MATTER OF APPLICATION FOR SEARCH WARRANT	SW NO. 12-29-2022A **MOTION AND ORDER TO UNSEAL WARRANT RETURN** Clerk's Action Required

MOTION

COMES NOW, the State of Washington, by and through Denis Tracy, Whitman County Prosecuting Attorney, and moves the court for an Order to Un-seal the Return of Service of Search Warrant numbered SW NO. 12-29-2022A, pursuant to GR 15.

BASIS

These warrants were issued and served in Washington State, because a suspect in the crimes resided and worked here during the time of the murders. These warrants and associated applications were sealed, due to the sensitive nature of the investigation at that time. Since then, an extensive probable cause affidavit has been unsealed in Latah County, Idaho, which has alleviated the need for sealing of the Return of Service here in Washington.

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

Dated January 17, 2023.

Presented by:

Denis P. Tracy WSBA# 20383
Prosecuting Attorney

ORDER

It is ordered that the Return of Service of Search Warrant in this matter is hereby Un-sealed.

Dated this 17th Day of January, 2023.

Judge Gary Libey

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

FILED
JAN 17 2023
JILL E. WHELCHEL
WHITMAN COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHITMAN

IN THE MATTER OF APPLICATION FOR SEARCH WARRANT	SW NO. 12-29—2022A **MOTION AND ORDER FOR ORIGINAL SEARCH WARRANT AND SEARCH WARRANT APPLICATION TO REMAIN SEALED BUT A REDACTED VERSION BE PROVIDED FOR PUBLIC RELEASE** Clerk's Action Required

MOTION

COMES NOW, the State of Washington, by and through Denis Tracy, Whitman County Prosecuting Attorney, and moves the court for an Order to keep sealed the Search Warrant and Search Warrant Application numbered SW NO. 12-29-2022A, but to allow the State to file redacted versions which replace the victim witnesses' names with initials, pursuant to GR 15.

BASIS

The Washington State Constitution recognizes that victims of crimes have rights, and states that "Effective law enforcement depends on cooperation from victims of crime." Wash. Const. art. 1, §35. The Washington State Legislature has recognized that there is a "severe and detrimental impact on crime victims, survivors of victims, and witnesses of crime and [and yet there is] the civic and moral duty of victims, survivors of victims, and witnesses of crimes to fully and voluntarily

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

cooperate with law enforcement and prosecutorial agencies." RCW 7.69.010. In a criminal proceeding, the law requires that a reasonable effort is made to ensure that "victims, survivors of victims, and witnesses of crimes" have the right "[t]o receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts." RCW 7.69.030(5). Washington Courts have long acknowledged that a victim's initials can be substituted for their name. *See State v. Mansour,* 14 Wn.App.2d 323 (2020).

The basis for this motion is that there are two surviving victims/witnesses of a now notorious and much publicized murder/burglary in Moscow, Idaho, whose full names are listed in this search warrant and search warrant application. These warrants were issued and served in Washington State, because a suspect in the crimes resided and worked here during the time of the murders. These warrants and associated applications were sealed, due to the sensitive nature of the investigation at that time. Since then, an extensive probable cause affidavit has been unsealed in Latah County, Idaho, which has alleviated much of the need for sealing here in Washington. But the documents filed in Latah County have not disclosed the surviving victims' names, only their initials. These victims should have the level of protection that can be provided by having their initials substituted for their full names in the search warrants and search warrant applications which become publicly available from this court.

The State is asking the Court to consider the usual factors: (1) showing of the need for sealing the records, and where that need is based on a right other than an accused's right to a fair trial, a serious and imminent threat to that right; (2) anyone present when motion is made must be given an opportunity to object to the closure; (3) the proposed method for curtailing open access must be the least restrictive means available for protecting the threatened interests; (4) the court must weigh the competing interests of the proponent of closure and the public; and (5) the order must be no broader in its application or duration than necessary to serve its purpose.

The State contends that the need to protect victim identification is important to their safety, health and well-being and that victims and witnesses' rights should be protected vigorously just as the legislature and the State's founders intended. The proposed method is to file a complete search warrant and application for warrant with only the surviving victims' names redacted and replaced with initials. This is a very minor closure of a court document in order to protect a very important

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

victim interest. Finally, the order will be no broader in application than necessary to serve its purpose, and the public will still have the pertinent information at its disposal in order to understand the proceedings of the court.

Dated January 17, 2023.

Presented by:

Denis P. Tracy WSBA# 20383
Prosecuting Attorney

ORDER

It is ordered that the Search Warrant and Application For Search Warrant already filed in this matter shall remain sealed, but the State shall immediately file redacted versions of those documents with the surviving victim's names redacted and replaced with initials.

Dated this 17th Day of January, 2023.

Judge Gary Libey

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

FILED
JAN 17 2023
JILL E. WHELCHEL
WHITMAN COUNTY CLERK

SUPERIOR COURT, WHITMAN COUNTY, WASHINGTON

STATE OF WASHINGTON)
)
COUNTY OF WHITMAN)

SW NO: 12-29-2022 A
REDACTED
SEARCH WARRANT[1]
(Residence)

TO ANY PEACE OFFICER IN THE STATE OF WASHINGTON:

Upon the sworn complaint made before me, there is probable cause to believe that the crime(s) of Murder in the first degree and Burglary, per Idaho Code has been committed, in Idaho, and that evidence of that/those crime(s); or contraband, the fruits of crime, or things otherwise criminally possessed; or weapons or other things by means of which a crime has been committed or reasonably appears about to be committed; is concealed in or on certain premises.

In making this determination, this court did not consider the information in the 'Supplemental Disclosure re DNA Test' as evidence supporting the existence of probable cause. This court also does not consider the information in that Supplemental Disclosure to be exculpatory.

YOU ARE COMMANDED to:

1. Search, within 10 days of this date, the premises described as follows:

   Apartment located at 1630 NE Valley Rd, #G201, Pullman, WA.

   1630 NE Valley Road is a three story, multiple occupancy apartment building in Pullman, WA which is tan and white in color. Apartment G201 is located on the northeast corner of the second story of this building. The door to G201 is located on the east side of the second story landing and is designated by the numbers "201" on

the door. The door is white, with a swinging screen door on the outside of the main door to the residence.

2. Seize, if located, evidence of the above-listed crimes, including:

1. Blood, or other bodily fluid or human tissue or skin cells, or items with blood or other bodily fluid or human tissue or skin cells on the items.

2. Knives, sheaths, or other sharp tools, including any dagger, dirk, or sword, and any written indicia of ownership of same, including sales receipts.

3. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.

4. Clothing, including but not limited to dark shirt(s), dark pant(s), mask(s), shoes with diamond pattern sole.

5. Trace evidence including DNA from blood or skin cells or other source, footprints, fingerprints, hair (whether human or animal/dog).

6. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ; and data compilations showing the location of Bryan Kohberger, or the cell phone with number 509-592-8458, on November 13, 2022, including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cell phones or computer towers/laptops/tablets. As example, but not intended to be an exclusive list of data compilations being sought: ledgers, papers, lists,

books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

7. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ;
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;
- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital

communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

8. Indicia of residence in, or ownership or possession of, the premises and any of the above items, including mail, receipts, identification, bills, rental agreements, licensing documents and other personal property whose owner/possessor may be readily determined.

Assistance from any law enforcement agencies from the State of Idaho or the federal government, or any technical specialist associated with or employed by or contracted with such law enforcement agencies, including but not limited to the Moscow Police Department, Idaho State Police, FBI, Idaho State Police Forensic Services is authorized.

Assistance from a technical specialist is also authorized to review any digital devices and digital media for the best and least intrusive method of securing digital evidence that the warrant authorizes for seizure, and to assist in securing such evidence.

Promptly return this warrant to me or the clerk of this court; the return must include an inventory of all property seized.

A copy of the warrant and a receipt for the property taken shall be given to the person from whom or from whose premises property is taken. If no person is found in possession, a copy and receipt shall be conspicuously posted at the place where the property is found.

Date/Time: 12/29/2022 9:25 pm

Signature: _____
SUPERIOR COURT JUDGE
Printed Judge's Name: GARY GIBSON

FILED
JAN 17 2023
JILL E. WHELCHEL
WHITMAN COUNTY CLERK

SUPERIOR COURT, WHITMAN COUNTY, WASHINGTON

STATE OF WASHINGTON)
)
COUNTY OF WHITMAN)

SW NO. 12-29-2022A
REDACTED

APPLICATION FOR SEARCH WARRANT (Residence)

Declaration

I, Dawn Daniels, Assistant Chief WSU Police Department, declare that I have personal knowledge of the matters herein and/or am relying on witness statements, information provided by my fellow officers, including fellow officers from the State of Idaho, reports, and other material I have gathered in my investigation, and that I am competent to testify to the matters stated herein:

On the basis of the following, I believe there is probable cause that Bryan Kohberger has committed the crime(s) of Murder First Degree, Idaho Code (IC) 18-4001, 4002, 4003, 4004, and Burglary, IC 18-1401, 1403 in Moscow, Idaho, and that:

- ☒ Evidence of those crimes;
- ☐ Contraband, the fruits of a crime, or things otherwise criminally possessed;
- ☒ Weapons or other things by means of which a crime has been committed or reasonably appears about to be committed;
- ☐ A person for whose arrest there is probable cause, or who is unlawfully restrained;

is located in, on, at, or about the following described premises, vehicle or person:

Apartment located at 1630 NE Valley Rd, #G201, Pullman, WA.

1630 NE Valley Road is a three story, multiple occupancy apartment building in Pullman, WA which is tan and white in color. Apartment G201 is located on the northeast corner of the

second story of this building. The door to G201 is located on the east side of the second story landing and is designated by the numbers "201" on the door. The door is white, with a swinging screen door on the outside of the main door to the residence.

Affiant

(1) I am a police officer at Washington State University Police Department, and have been so employed since July 20, 1998. I attended and successfully completed the 440-hour Washington State Criminal Justice Training Commission's Basic Law Enforcement Academy. While at the academy, I completed courses in Criminal Law, Criminal Procedures and other investigative courses. Since the academy, I have continued my education in various law enforcement related fields including Officer Involved Shooting, Evidence Collection, and Threat Assessment. I have investigated and assisted in the service of over 50 search warrants.

Persons providing information:

1. Moscow, Idaho Police Officer Sgt. Dustin Blaker. Sgt. Blaker's sworn statement is attached hereto as Exhibit A, and is hereby incorporated in this application for search warrant. Sgt. Blaker identifies his experience and training in his statement.
2. Other officers and witnesses are identified in Sgt. Blaker's sworn statement.

The Investigation

I was contacted by Moscow police officers and asked to assist their investigation into the recent murder of four people in Moscow, Idaho. Sgt. Blaker of the Moscow Police Department has developed probable cause to believe that a resident of Whitman County, Bryan Kohberger, committed the murders and burglary. I agree with Sgt. Blaker's statement that there is probable cause to believe that Kohberger committed the murders and burglary and that there is probable cause to believe that evidence of those crimes will be located in Kohberger's apartment at 1630 NE Valley Rd, #G201 in Pullman. I am seeking this search warrant to search that apartment.

The probable cause is described in detail in the attached Exhibit A, sworn statement of Sgt. Blaker, which is hereby incorporated herein by this reference, just as if fully set forth here.

Based on all the foregoing information, I believe that evidence of the above-listed crime(s) exists at the above-described location, and that there is probable cause to search that location for evidence of the above-listed crimes, including:

1. Blood, or other bodily fluid or human tissue or skin cells, or items with blood or other bodily fluid or human tissue or skin cells on the items.

2. Knives, sheaths, or other sharp tools, including any dagger, dirk, or sword, and any written indicia of ownership of same, including sales receipts.

3. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F., and/or D.M. and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.

4. Clothing, including but not limited to dark shirt(s), dark pant(s), mask(s), shoes with diamond pattern sole.

5. Trace evidence including DNA from blood or skin cells or other source, footprints, fingerprints, hair (whether human or animal/dog).

6. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F., and/or D.M.; and data compilations showing the location of Bryan Kohberger, or the cell phone with number 509-592-8458, on November 13, 2022, including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cell phones or computer towers/laptops/tablets. As example, but not

intended to be an exclusive list of data compilations being sought: ledgers, papers, lists, books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

7. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen B.F. , and/or D.M. .;
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;
- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified,

accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

8. Indicia of residence in, or ownership or possession of, the premises and any of the above items, including mail, receipts, identification, bills, rental agreements, licensing documents and other personal property whose owner/possessor may be readily determined.

In addition, I am asking the court to authorize, in the service of the search warrant, the use of assistance from any law enforcement agencies from in the State of Idaho or the federal government, or any technical specialist associated with or employed by or contracted with such law enforcement agencies, including but not limited to the Moscow Police Department, Idaho State Police, FBI, Idaho State Police Forensic Services.

I am also asking for authorization of assistance from a technical specialist to review any digital devices and digital media for the best and least intrusive method of securing digital evidence that the warrant authorizes for seizure, and to assist in securing such evidence.

Supplemental Disclosure re DNA Test

I have been informed by Detective JR Talbott of the Idaho State Police, that:

1. On November 13, 2022, a sheath was recovered at the King Road Residence under or next to the body of Madison Mogen. The Idaho State Crime Lab obtained a male DNA profile (Suspect Profile) from the sheath. (This is also referred to in Sgt. Blaker's sworn statement – Exhibit A.)

2. On December 27, 2022, law enforcement agents/officers in Pennsylvania recovered trash that originated from the Kohberger family residence. That trash was sent to the Idaho State Crime Lab for testing. On December 28, 2022, the Idaho State Lab reported that a DNA profile was obtained from the trash; it was compared to the Suspect DNA Profile; the Lab personnel concluded that the source of the trash dna profile was a male and was not being excluded as the biological father of the source of the Suspect Profile. At least 99.9998% of the male population would be expected to be excluded from the possibility of being the biological father of the source of the Suspect Profile.

This information is being provided to the court pursuant to my duty and obligation to be fully candid with the court. I do not believe this information is exculpatory for the suspect. However, if the court believes it is exculpatory, then the court should consider this supplemental disclosure in its evaluation of the existence of probable cause, or lack thereof.

But I am specifically asking the court to NOT consider this supplemental disclosure as evidence supporting the existence of probable cause. The reason for this request is that if the dna test results are held inadmissible at some point, such a ruling would not impact the finding of probable cause for this warrant, so long as this court is satisfied as to probable cause regardless of the dna test result.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed this 29th day of December, 2022, at Pullman, WA.

Declarant's Signature: _____

Declarant's Full Name: Dawn Daniels
Agency Badge/Serial or Personnel #: 302
Agency Name: Washington State University Police Dept.

On 29th day of December, 2022, I reviewed and considered the above application, submitted to me under penalty of perjury.

Signature: _____
SUPERIOR/DISTRICT COURT JUDGE
Printed Judge's Name: GARY S CIBEY

Issuance of Warrant Approved:
Whitman County Prosecuting Attorney

By: _____
[Prosecutor name], WSBA #20383
[Senior] Deputy Prosecuting Attorney
Criminal Division

Exhibit A
Statement of Dustin Blaker

The below information is provided by Sergeant (SGT) Dustin Blaker. I am a duly appointed, qualified and acting peace officer within the County of Latah, State of Idaho. I am employed by Moscow Police Department (MPD) in the official capacity or position of Sergeant and I have been a trained and qualified peace officer for approximately twenty-two years. I attended the Idaho Peace Officers Academy from January 2000 to March of 2000 and then completed a sixteen-week field training program where I was released in July of 2000. During my sixteen years of law enforcement, I have attended additional training to include Basic Narcotics training which trained me in handling high level cases. I have conducted many search warrants and I have assisted with previous homicide investigations while at the Moscow Police Department. I am being assisted by other officers of the Moscow Police Department, members of the Idaho State Police (ISP) and agents of the Federal Bureau of Investigation (FBI).

On November 13, 2022, at approximately 4:00 p.m., Moscow Police Department Corporal (CPL) Brett Payne and I responded to 1122 King Road, Moscow, Idaho, hereafter the "King Road Residence," to assist with scene security and processing of a crime scene associated with four homicides. Upon our arrival, the Idaho State Police Forensic Team was on scene and was preparing to begin processing the scene. MPD Officer (OFC) Smith, one of the initial responding officers to the incident, advised he would walk me through the scene.

OFC Smith and I entered the King Road Residence through the bottom floor door on the north side of the building. OFC Smith and I then walked upstairs to the second floor. OFC Smith directed me down the hallway to the west bedroom on the second floor, which I later learned

(through Xana's driver's license and other personal belongings found in the room) was Xana Kernodle's, hereafter "Kernodle" room. Just before this room there was a bathroom door on the south wall of the hallway. As I approached the room, I could see a body, later identified as Kernodle's, laying on the floor. Kernodle was deceased with wounds which appeared to have been caused by an edged weapon.

Also in the room was a male, later identified as Ethan Chapin, hereafter, "Chapin". Chapin was also deceased with wounds later determined (Autopsy Report provided by Spokane County Medical Examiner Veena Singh dated December 15, 2022) to be caused by "sharp-force injuries".

I then followed OFC Smith upstairs to the third floor of the residence. The third floor consisted of two bedrooms and one bathroom. The bedroom on the west side of the floor was later determined to be Kaylee Goncalves, hereafter "Goncalves," room. I later learned (from review of Officer Nunes' body camera) there was a dog in the room when Moscow Police Officers initially responded. The dog belonged to Goncalves and her ex-boyfriend Jack Ducoeur. I found out from Cpl. Payne's interview with Jack Ducouer on November 13, 2022 that he and Goncalves shared the dog. OFC Smith then pointed out a small bathroom on the east side of the third floor. This bathroom shared a wall with Madison Mogen's, hereafter "Mogen" bedroom which was situated on the southeast corner of the third floor.

As I entered this bedroom, I could see two females in the single bed in the room. Both Goncalves and Mogen were deceased with visible stab wounds. I was later advised by ISP investigators they located a tan leather knife sheath laying on the bed next to Mogen's right side (when viewed from the door). The sheath was later processed and had "Ka-Bar", "USMC" and the United States Marine Corps eagle globe and anchor insignia stamped on the outside of it.

The Idaho State Lab later located a single source of male DNA left on the button snap of the knife sheath.

As part of the investigation, numerous interviews were conducted by Moscow Police Department Officers, Idaho State Police Detectives, and FBI Agents. Two of the interviews included B.F. (hereafter "B.F."), and D.M. (hereafter "D.M."). Both B.F. and D.M. were inside the King Road Residence at the time of the homicides and were roommates to the victims. B.F.'s bedroom was located on the east side of the first floor of the King Road Residence.

Based on numerous interviews conducted by MPD Officers, ISP Detectives, and FBI Agents as well as my review of evidence, I have learned the following:

On the evening of November 12, 2022, Chapin and Kernodle are seen by B.F. at the Sigma Chi house on the University of Idaho campus at 735 Nez Perce Drive from approximately 9:00 p.m. B.F. also stated that Chapin did not live in the King Road Residence but was a guest of Kernodle.

Goncalves and Mogen were at a local bar, the Corner Club at 202 N. Main Street, in Moscow. Goncalves and Mogen can be seen on video footage provided by the Corner Club between 10:00 p.m. on November 12 and 1:30 a.m. on November 13th. At approximately 1:30 a.m. Goncalves and Mogen can be seen on video at a local food vendor called the "Grub Truck" at 318 S. Main Street in downtown Moscow. The Grub Truck live streams video from their food truck on the streaming platform Twitch which is available for public viewing on their website. This video was captured by law enforcement. A private party reported that he provided a ride to

Goncalves and Mogen at approximately 1:56 a.m. from downtown Moscow (in front of the Grub Truck) to the King Road Residence.

D.M. and B.F. both made statements during interviews that indicated the occupants of the King Road Residence were at home by 2:00 a.m. and asleep or at least in their rooms by approximately 4:00 a.m. This is with the exception of Kernodle, who received a DoorDash order at the residence at approximately 4:00 a.m. (law enforcement identified the DoorDash delivery driver who reported this information).

D.M. stated she originally went to sleep in her bedroom on the southeast side of the second floor. D.M. stated she was awoken at approximately 4:00 a.m. by what she stated sounded like Goncalves playing with her dog in one of the upstairs bedrooms, which were located on the third floor. A short time later, D.M. said she heard who she thought was Goncalves say something to the effect of "there's someone here." A review of records obtained from a forensic download of Kernodle's phone showed this could also have been Kernodle as her cellular phone indicated she was likely awake and using the TikTok app at approximately 4:12 a.m.

D.M. stated she looked out of her bedroom but did not see anything when she heard the comment about someone being in the house. D.M. stated she opened her door a second time when she heard what she thought was crying coming from Kernodle's room. D.M. then said she heard a male voice say something to the effect of "it's ok, I'm going to help you."

At approximately 4:17 a.m., a security camera located at 1112 King Road, a residence immediately to the northwest of 1122 King Road, picked up distorted audio of what sounded like voices, or a whimper followed by a loud thud. A dog can also be heard barking numerous times starting at 4:17 a.m. The security camera is less than fifty feet from the west wall of Kernodle's bedroom.

D.M. stated she opened her door for the third time after she heard the crying and saw a figure clad in black clothing and a mask that covered the person's mouth and nose walking towards her D.M. described the figure as 5'10" or taller, male, not very muscular, but athletically built with bushy eyebrows. The male walked past D.M. as she stood in a "frozen shock phase." The male walked towards the back sliding glass door. D.M. locked herself in her room after seeing the male. This leads investigators to believe that the murderer left the scene.

The combination of D.M. statements to law enforcement, reviews of forensic downloads of records from B.F. and D.M. phone, and video of a suspect vehicle as described below leads investigators to believe the homicides occurred between 4:00 a.m. and 4:25 a.m.

During the processing of the crime scene, investigators found a latent shoe print. This was located during the second processing of the crime scene by the ISP Forensic Team by first using a presumptive blood test and then Amino Black, a protein stain that detects the presence of cellular material. The detected shoe print showed a diamond-shaped pattern (similar to the pattern of a Vans type shoe sole) just outside the door of D.M. bedroom (located on

second floor). This is consistent with D.M. statement regarding the suspect's path of travel.

As part of the investigation, an extensive search, commonly referred to in law enforcement as a "video canvass," was conducted in the area of the King Road Residence. This video canvass was to obtain any footage from the early morning hours of November 13, 2022, in the area of the King Road Residence and surrounding neighborhoods in an effort to locate the suspect(s) or suspect vehicle(s) traveling to or leaving from the King Road Residence. This video canvass resulted in the collection of numerous surveillance videos in the area from both residential and business addresses. I have reviewed numerous videos that were collected and have had conversations with the other MPD Officers, ISP Detectives, and FBI Agents that are similarly reviewing footage that was obtained.

A review of camera footage indicated that a white sedan, hereafter "Suspect Vehicle 1", was observed traveling westbound in the 700 block of Indian Hills Drive in Moscow at approximately 3:26 a.m and westbound on Styner Avenue at Idaho State Highway 95 in Moscow at approximately 3:28 a.m. On this video, it appeared Suspect Vehicle 1 was not displaying a front license plate.

A review of footage from multiple videos obtained from the King Road Neighborhood showed multiple sightings of Suspect Vehicle 1 starting at 3:29 a.m. and ending at 4:20 a.m. These sightings show Suspect Vehicle 1 makes an initial three passes by the 1122 King Road residence and then leave via Walenta Drive. Based off of my experience as a Patrol Officer this is a residential neighborhood with a very limited number of vehicles that travel in the area during the early morning hours. Upon review of the video there are only a few cars that enter and exit this area during this time frame.

Suspect Vehicle 1 can be seen entering the area a fourth time at approximately 4:04 a.m. It can be seen driving eastbound on King Road, stopping and turning around in front of 500 Queen Road #52 and then driving back westbound on King Road. When Suspect Vehicle 1 is in front of the King Road Residence, it appeared to unsuccessfully attempt to park or turn around in the road. The vehicle then continued to the intersection of Queen Road and King Road where it can be seen completing a three-point turn and then driving eastbound again down Queen Road.

Suspect Vehicle 1 is next seen departing the area of the King Road Residence at approximately 4:20 a.m. at a high rate of speed. Suspect Vehicle 1 is next observed traveling southbound on Walenta Drive. Based on my knowledge of the area and review of camera footage in the neighborhood that does not show Suspect Vehicle 1 during that timeframe, I believe that Suspect Vehicle 1 likely exited the neighborhood at Palouse River Drive and Conestoga Drive. Palouse River Drive is at the southern edge of Moscow and proceeds into Whitman County, Washington. Eventually the road leads to Pullman, Washington. Pullman Washington is approximately 10 miles from Moscow, Idaho. Both Pullman and Moscow are small college towns and people commonly travel back and forth between them.

Law enforcement officers provided video footage of Suspect Vehicle 1 to forensic examiners with the Federal Bureau of Investigation that regularly utilize surveillance footage to identify the year, make, and model of an unknown vehicle that is observed by one or more cameras during the commission of a criminal offense. The Forensic Examiner has approximately 35 years law enforcement experience with twelve years at the FBI. His specific training includes identifying unique characteristics of vehicles, and he uses a database that gives visual clues of vehicles across states to identify differences between vehicles.

After reviewing the numerous observances of Suspect Vehicle 1, the forensic examiner initially believed that Suspect Vehicle 1 was a 2011-2013 Hyundai Elantra. Upon further review, they indicated it could also be a 2011-2016 Hyundai Elantra. As a result, investigators have been reviewing information on persons in possession of a vehicle that is a 2011-2016 white Hyundai Elantra.

Investigators were given access to video footage on the Washington State University (WSU) campus located in Pullman, WA. WSU maintains a series of surveillance cameras on and near its campus. A review of that video indicated that at approximately 2:44 a.m. on November 13, 2022, a white sedan, which was consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed on WSU surveillance cameras travelling north on southeast Nevada Street at northeast Stadium Way. At approximately 2:53 a.m., a white sedan, which is consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed traveling southeast on Nevada Street in Pullman, WA towards SR 270. SR 270 connects Pullman, Washington to Moscow, Idaho. This camera footage from Pullman, WA was provided to the same FBI Forensic Examiner. The Forensic Examiner identified the vehicle observed in Pullman, WA as being a 2014-2016 Hyundai Elantra.

At approximately 5:25 a.m., a white sedan, which was consistent with the description of Suspect Vehicle 1, was observed on five cameras in Pullman, WA and on WSU Campus cameras. The first camera that recorded the white sedan was located at 1300 Johnson Road in Pullman. The white sedan was observed traveling northbound on Johnson Road. Johnson Road leads directly back to West Palouse River Drive in Moscow which intersects with Conestoga Drive. The white sedan was then observed turning north on Bishop Boulevard and northwest on SR 270. At approximately 5:27 a.m., the White Elantra was observed on cameras traveling

northbound on Stadium Way at Nevada Street, Stadium Way at Grimes Way, Stadium Drive at Wilson Road, and Stadium Way at Cougar Way.

Depiction showing Moscow and Pullman:

Depiction showing White Elantra's path of travel (not to scale):

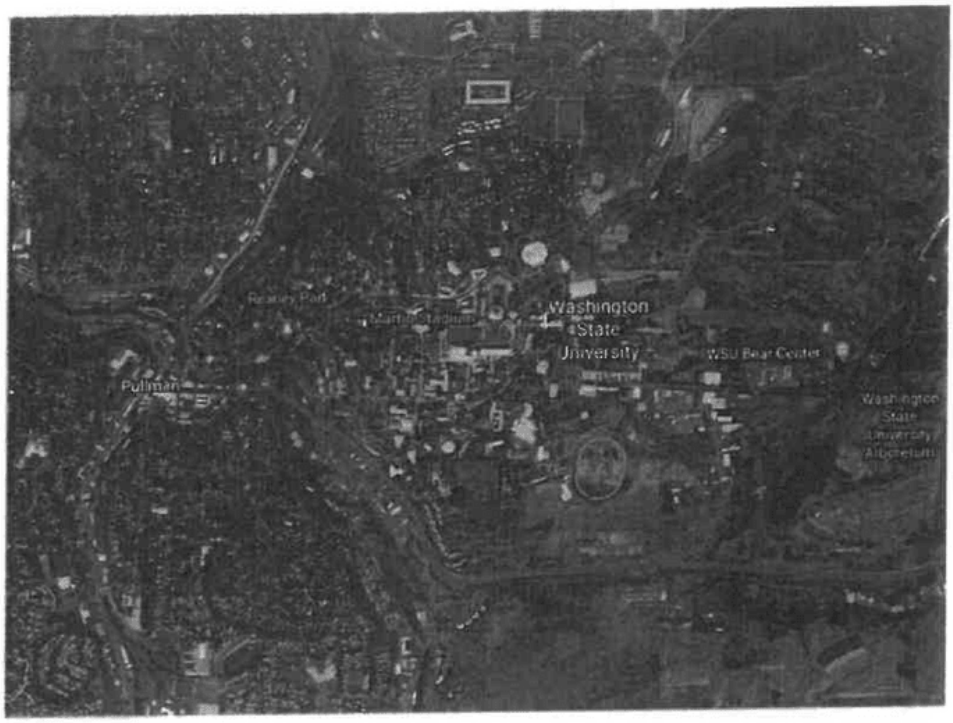
Legend

Δ White Elantra seen leaving WSU Campus

▲ White Elantra seen Returning to WSU Campus

1630 NE Valley Road

Arrows are camera locations and indicate vehicle direction of travel



On November 25, 2022, MPD asked area law enforcement agencies to be on the lookout for white Hyundai Elantras in the area. On November 29, 2022, at approximately 12:28 a.m., Washington State University (WSU) Police Officer Daniel Tiengo, queried white Elantras registered at WSU. As a result of that query he located a 2015 white Elantra with a Pennsylvania license plate LFZ-8649. This vehicle was registered to Bryan Kohberger hereafter "Kohberger" residing at 1630 NE Valley Road, Apartment 201, Pullman, Washington. 1630 NE Valley Road is approximately three-quarters of a mile from the intersection of Stadium Way and Cougar Way (last camera location that picked up the white Elantra).

That same day at approximately 12:58 a.m., WSU Officer Curtis Whitman was looking for white Hyundai Elantra's and located a 2015 white Hyundai Elantra at 1630 NE Valley Road in Pullman in the parking lot. 1630 NE Valley Road is an apartment complex that houses WSU students. Officer Whitman also ran the car and it returned to Kohberger with a Washington tag. I reviewed Kohberg's WA state driver license information and photograph. This license indicates that Kohberger is a white male with a height of 6' and weighs 185 pounds. Additionally, the photograph of Kohberger shows that he has bushy eyebrows. Kohberger's physical description is consistent with the description of the male D.M. saw inside the King Road Residence on November 13th.

Further investigation, including a review of Latah County Sheriff's Deputy Corporal (CPL) Duke's body cam and reports, showed that on August 21, 2022, Bryan Kohberger was detained as part of a traffic stop that occurred in Moscow, Idaho, by CPL Duke. At the time, Kohberger, who was the sole occupant, was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649 which was set to expire on November 30, 2022. During the stop, which was recorded via a law enforcement body camera, Kohberger provided his phone number as 509-592-8458, hereafter the "8458 Phone" as his cellular telephone number. Investigators conducted electronic database queries and learned that the 8458 Phone is a number issued by AT&T.

On October 14, 2022, Bryan Kohberger was detained as part of a traffic stop by a WSU Police Officer. Upon review of that body cam and report of the stop, Kohberger was the sole occupant and was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649.

On November 18, 2022, according to WA state licensing, Kohberger registered the 2015 white Elantra with WA and later received WA plate CFB-8708. Prior to this time, the 2015 white Elantra was registered in Pennsylvania, which does not require a front license plate to be displayed (this was learned through communications with a Pennsylvania officer who is currently certified in the State of Pennsylvania). Based on my own experience and communication with Washington law enforcement, I know that Idaho and Washington require front and back license plates to be displayed.

Investigators believe that Kohberger is still driving the 2015 white Elantra because his vehicle was captured on December 13, 2022, by a license plate reader in Loma, Colorado (information provided by a query to a database). Kohberger's Elantra was then queried on December 15, 2022 by law enforcement in Hancock County, Indiana. On December 16, 2022 at approximately 2:26 p.m., surveillance video showed Kohberger's Elantra in Albrightsville, Pennsylvania. The sole occupant of the vehicle was a white male whose description was consistent with Kohberger. Kohberger has family in Albrightsville, Pennsylvania (learned through TLO which is a search and locate tool database query used by law enforcement).

Based on information provided on the WSU website, Kohberger is currently a Ph.D Student in Criminology at Washington State University. Pursuant to records provided by a member of the interview panel for Pullman Police Department, we learned that Kohberger's past education included undergraduate degrees in psychology and cloud-based forensics. These records also showed Kohberger wrote an essay when he applied for an internship with the Pullman Police Department in the fall of 2022. Kohberger wrote in his essay he had interest in assisting rural law enforcement agencies with how to better collect and analyze technological data in public safety operations. Kohberger also posted a Reddit survey which can be found by

an open-source internet search. The survey asked for participants to provide information to "understand how emotions and psychological traits influence decision making when committing a crime."

As part of this investigation, law enforcement obtained search warrants to determine cellular devices that utilized cellular towers in close proximity to the King Road Residence on November 13, 2022 between 3:00 a.m. and 5:00 a.m. After determining that Kohberger was associated to both the 2015 White Elantra and the 8458 Phone, investigators reviewed these search warrant returns. A query of the 8458 Phone in these returns did not show the 8458 Phone utilizing cellular tower resources in close proximity to the King Road Residence between 3:00 a.m. and 5:00 a.m.

Based on my training, experience, and conversations with law enforcement officers that specialize in the utilization of cellular telephone records as part of investigations, individuals can either leave their cellular telephone at a different location before committing a crime or turn their cellular telephone off prior to going to a location to commit a crime. This is done by subjects in an effort to avoid alerting law enforcement that a cellular device associated with them was in a particular area where a crime is committed. I also know that on numerous occasions, subjects will surveil an area where they intend to commit a crime prior to the date of the crime. Depending on the circumstances, this could be done a few days before or for several months prior to the commission of a crime. During these types of surveillance, it is possible that an individual would not leave their cellular telephone at a separate location or turn it off since they do not plan to commit the offense on that particular day.

On December 23, 2022, Cpl. Payne applied for and was granted a search warrant for historical phone records between November 12, 2022 at 12:00 a.m. and November 14, at 12:00 a.m. for the 8458 Phone held by the phone provider AT&T (approximately 24 hours proceeding and following the times of the homicides).

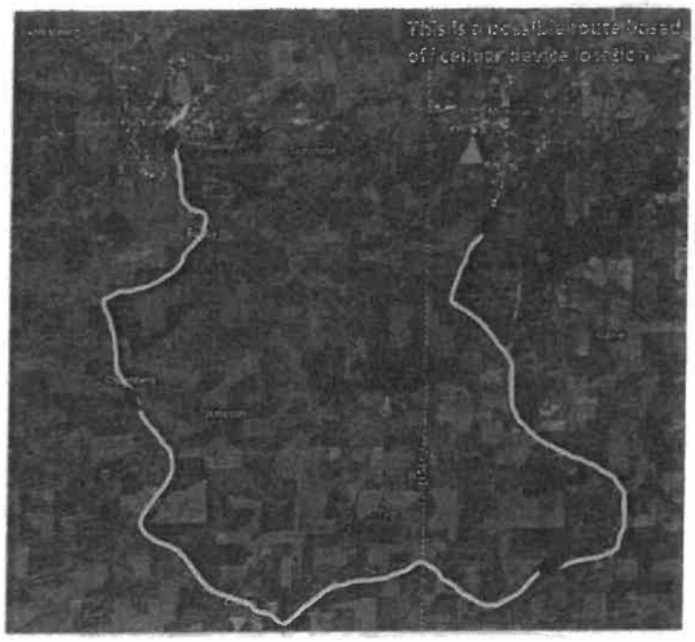
On December 23, 2022, pursuant to that search warrant, Cpl, Payne received records for the 8458 Phone from AT&T. These records indicated that the 8458 Phone is subscribed to Bryan Kohberger at an address in Albrightsville, Pennsylvania and the account has been open since June 23, 2022. These records also included historical cell site location information (CSLI) for the 8458 Phone. After receiving this information, MPD consulted with an FBI Special Agent (SA) that is certified as a member of the Cellular Analysis Survey Team (CAST). Members of CAST are certified with the FBI to provide expert testimony in the field of historical CSLI and are required to pass extensive training that includes both written and practical examinations prior to be certified with CAST as well as the completion of yearly certification requirements. Additionally, the FBI CAST SA that I consulted with has over fifteen years of federal law enforcement experience, which includes six years with the FBI. From information provided by CAST, investigators were able to determine estimated locations for the 8458 Phone from November 12, 2022 to November 13, 2022, the time period authorized by the court.

On November 13, 2022 at approximately 2:42 a.m., the 8458 Phone was utilizing cellular resources that provide coverage to 1630 Northeast Valley Road, Apt G201, Pullman, WA, hereafter the "Kohberger Residence." At approximately 2:47 a.m., the 8458 Phone utilized cellular resources that provide coverage southeast of the Kohberger Residence consistent with the 8458 Phone leaving the Kohberger Residence and traveling south through Pullman, WA. This is consistent with the movement of the white Elantra. At approximately 2:47 a.m. the 8458

Phone stops reporting to the network, which is consistent with either the phone being in an area without cellular coverage, the connection to the network is disabled (such as putting the phone in airplane mode), or that the phone is turned off. The 8458 Phone does not report to the network again until approximately 4:48 a.m. at which time it utilized cellular resources that provide coverage to ID state highway 95 south of Moscow, ID near Blaine, ID (town north of Genesee). Between 4:50 a.m. and 5:26 a.m., the phone utilizes cellular resources that are consistent with the 8458 Phone traveling south on ID state highway 95 to Genesee, ID, then traveling west towards Uniontown, ID, and then north back into Pullman, WA. At approximately 5:30 a.m., the 8458 Phone is utilizing resources that provide coverage to Pullman, WA and consistent with the phone traveling back to the Kohberger Residence. The 8458 Phone's movements are consistent with the movements of the white Elantra that is observed traveling north on Stadium Drive at approximately 5:27 a.m. Based on a review of the 8458 Phone's estimated locations and travel, the 8458 Phone's travel is consistent with that of the white Elantra.

Further review indicated that the 8458 Phone utilized cellular resources on November 13, 2022 that are consistent with the 8458 Phone leaving the area of the Kohberger Residence at approximately 9:00 a.m. and traveling to Moscow, ID. Specifically, the 8458 Phone utilized cellular resources that would provide coverage to the King Road Residence between 9:12 a.m. and 9:21 a.m. The 8458 Phone next utilized cellular resources that are consistent with the 8458 Phone traveling back to the area of the Kohberger Residence and arriving to the area at approximately 9:32 a.m.

Below is a depiction (not to scale) of the possible route taken based off of cellular site locations:



Investigators found that the 8458 Phone did connect to a cell phone tower that provides service to Moscow on November 14, 2022, but investigators do not believe the 8458 Phone was in Moscow on that date. The 8458 Phone has not connected to any towers that provide service to Moscow since that date.

Based on my training, experience, and the facts of the investigation thus far, I believe that Kohberger, the user of the 8458 Phone, was likely the driver of the white Elantra that is observed departing Pullman, WA and that this vehicle is likely Suspect Vehicle 1. Additionally, the route of travel of the 8458 Phone during the early morning hours of November 13, 2022 and the lack of the 8458 Phone reporting to AT&T between 2:47 a.m. and 4:48 a.m. is consistent with

Kohberger attempting to conceal his location during the quadruple homicide that occurred at the King Road Residence.

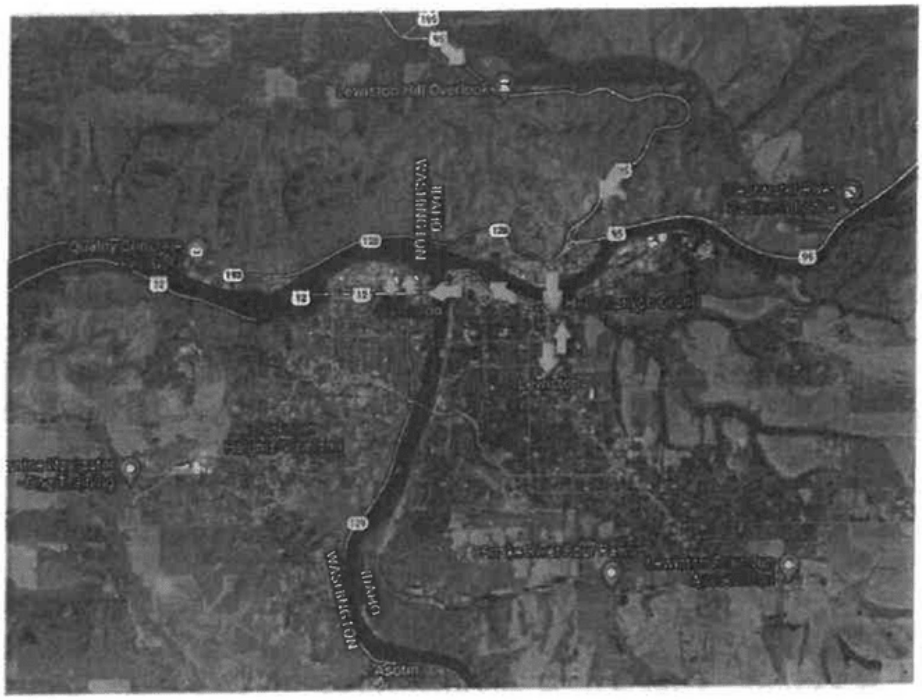
On December 23, 2022, I was granted a search warrant for Kohberger's historical CSLI from June 23, 2022 to current, prospective location information, and a Pen Register/Trap and Trace on the 8458 Phone to aid in efforts to determine if Kohberger stalked any of the victims in this case prior to the offense, conducted surveillance on the King Road Residence, was in contact with any of the victims' associates before or after the alleged offense, any locations that may contain evidence of the murders that occurred on November 13, 2022, the location of the white Elantra registered to Kohberger, as well as the location of Kohberger.

On December 23, 2022 pursuant to that search warrant, investigators received historical records for the 8458 Phone from AT&T from the time the account was opened in June 2022. After consulting with the CAST SA, investigators were able to determine estimated locations for the 8458 Phone from June 2022 to present, the time period authorized by the court. The records for the 8458 Phone show the 8458 Phone utilizing cellular resources that provide coverage to the area of 1122 King Road on at least twelve occasions prior to November 13, 2022. All of these occasions, except for one, occurred in the late evening and early morning hours of their respective days.

One of these occasions, on August 21, 2022, the 8458 Phone utilized cellular resources providing coverage to the King Road Residence from approximately 10:34 p.m. to 11:35 p.m. At approximately 11:37 p.m., Kohberger was stopped by Latah County Sheriff's Deputy Corporal Duke, as mentioned above. The 8548 Phone was utilizing cellular resources consistent with the location of the traffic stop during this time (Farm Road and Pullman Highway).

Further analysis of the cellular data provided showed the 8458 Phone utilized cellular resources on November 13, 2022 consistent with the Phone travelling from Pullman, Washington to Lewiston, Idaho via US Highway 195. At approximately 12:36 p.m., the 8458 Phone utilized cellular resources that would provide coverage to Kate's Cup of Joe coffee stand located at 810 Port Drive, Clarkston, WA. Surveillance footage from the US Chef's Store located at 820 Port Drive, Clarkston, WA and adjacent to Kate's Cup of Joe showed a white Elantra, consistent with Suspect Vehicle 1, drive past Kate's Cup of Joe at a time consistent with the cellular data from the 8548 Phone.

At approximately 12:46 p.m., the 8458 Phone then utilized cellular data in the area of the Albertson's grocery store at 400 Bridge Street in Clarkston, Washington. Surveillance footage obtained from the Albertson's showed Kohberger exit the white Elantra, consistent with Suspect Vehicle 1, at approximately 12:49 p.m. Interior surveillance cameras showed Kohberger walk through the store, purchase unknown items at the checkout, and leave at approximately 1:04 p.m. Kohberger's possible path of travel is depicted below (not to scale):



Additional analysis of records for the 8458 Phone indicated that between approximately 5:32 p.m. and 5:36 p.m., the 8458 Phone utilized cellular resources that provide coverage to Johnson, WA. The 8458 Phone then stops reporting to the network from approximately 5:36 p.m. to 8:30 p.m. That is consistent with the 8458 Phone being the area that the 8458 Phone traveled in the hours immediately following the suspected time the homicides occurred.

The King Road Residence contained a significant amount of blood from the victims including spatter and castoff (blood stain pattern resulting from blood drops released from an object due to its motion) which, based on my training, makes it likely that this evidence was transferred to Kohberger's person, clothing, or shoes. Based on the locations of the suspect vehicle and the 8458 phone immediately following the murders, it is probable that Kohberger went home to his residence at 1630 NE Valley Rd, G201. At that time, it is likely that he still had blood or other trace evidence on his person/clothes/shoes, including skin cells or hair from

the victims or from Goncalves' dog. It is likely that some trace evidence was transferred to areas in his apartment through contact with the items worn during the attack. One likely location for the clothes/mask/shoes that he was wearing during the attack would be his residence. While I believe Kohberger is visiting family in Pennsylvania over the current school break at WSU, I believe he intends to return for the start of the next semester, so I expect his belongings to still be in his residence at 1630 NE Valley Rd, G201.

To-date, we have not recovered the weapon used in the homicides which would indicate that he took it with him from the scene. Based on my training, that weapon will likely contain trace evidence on it, such as blood or skin or hair from the crime scene. One likely location for the weapon or any sheath for the weapon would be his residence.

Based on my training and experience when someone plans an event or action, one likely location for doing so is in their residence or office. One would not want to conduct such planning in public if they are planning a criminal act, and so it is even more likely that planning of a criminal act would be done in one's residence or office. These murders appear to have been planned, rather than a crime that happened in a moment of conflict. I believe it likely that Kohberger planned his actions ahead of time. The plans may have included a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road Residence, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. Further based on my training and experience criminals utilize electronic digital devices as well as paper or other media in conducting planning of crimes, just as non-criminals use various media to plan activities. Therefore there is probable cause to believe that digital devices were used

and/or are being used in furtherance of the listed crime(s) or to avoid detection for the listed crimes, and likely contain evidence of the listed crimes.

Evidence of the crimes described in this application could be contained in any type of digital device. The terms "digital device" and "device" include all devices capable of capturing and/or storing digital data, such as computers, digital cameras, modems, routers, external memory drives, thumb drives, cellular telephones, GPS navigation devices, etc. Data stored on digital devices and media can be easily transferred from one device or storage media to another. Forensic experts and others with experience in retrieving and analyzing digital data have established the following:

Digital devices typically retain some evidence of all activity taken via the device or associated media; and, as such, could contain evidence of crime. For example, data, whether stored intentionally or unintentionally, can contain evidence of knowledge, intent, efforts to conceal, sell or dispose of evidence or proceeds of criminal activity, accomplice identity, association with victims, or geographic location of the device possessor at particular dates and times. This information can be in numerous forms, such as photographs; address books or contact lists; or communications with others through means such as phone calls, email, instant messaging, social media, chat sessions, or other digital communications.

Evidence can remain on the device or media for indefinite periods of time after the communication originally took place, even if deleted by the user. Information deleted by the user may be recovered by a forensic examiner throughout the working life span of the device.

Digital data can be found in numerous locations, and formats. Evidence can be embedded into unlikely files for the type of evidence, such as a photo included in a document or

converted into a PDF file or other format in an effort to conceal their existence. Information on devices and media can be stored in random order; with deceptive file names; hidden from normal view; encrypted or password protected; and stored on unusual devices for the type of data, such as routers, printers, scanners, game consoles, or other devices that are similarly capable of storing digital data.

Wholly apart from user-generated files and data, digital devices and media typically store, often without any conscious action by the user, electronic evidence pertaining to virtually all actions taken on the digital device, and often information about the geographic location at which the device was turned on and/or used. This data includes logs of device use; records of the creation, modification, deletion, and/or sending of files; and uses of the internet, such as uses of social media websites and internet searches/browsing.

Device-generated data also includes information regarding the user identity at any particular date and time; usage logs and information pertaining to the physical location of the device over time; pointers to outside storage locations, such as cloud storage, or devices to which data may have been removed, and information about how that offsite storage is being used. If the device is synced with other devices, it will retain a record of that action. Digital device users typically do not erase or delete this evidence, because special software or use of special settings are usually required for the task. However, it is technically possible to delete this information.

Digital devices can also reveal clues to other locations at which evidence may be found. For example, digital devices often maintain logs of connected digital or remote storage devices. A scanner or printer may store information that would identify the digital device with which it was used. Forensic examination of the device can often reveal those other locations where evidence may be present.

As with other types of evidence, the context, location, and data surrounding information in the device data is often necessary to understand whether evidence falls within the scope of the warrant. This type of information will be important to the forensic examiner's ability to piece together and recognize evidence of the above-listed crimes.

Digital device programs frequently require passwords, phrases, codes, patterns, fingerprints, and/or usernames to operate. Those may be kept inside a device/media, or outside in some other area known to the user. So, in addition to searching a digital device and media for evidence of the above-listed crime(s), investigators will need to search both the premises searched, and the digital device(s) for this information.

The forensic examiner may also need the following items in order to conduct a thorough and accurate search of the devices: computer hardware, software, peripherals, internal or external storage devices, power supplies, cables; internet connection and use information; security devices; software; manuals; and related material.

Modern digital devices and media can contain many gigabytes and even terabytes of data. Due to the potential for an extremely large volume of data contained in devices and media, and that fact that evidence can be stored/located in unanticipated locations or formats and/or embedded in other items stored on the device/media, investigators typically need to use specialized equipment in their search. Such large volumes of data also mean that searches can take days or even weeks to complete. For these reasons, I request authority to remove from the search location all digital devices and media that could contain evidence authorized for seizure under the warrant for subsequent search.

I also request authority to obtain assistance from a technical specialist, to review the digital device(s) and digital media for the best and least intrusive method of securing digital evidence that this warrant authorizes for seizure, and to assist in securing such evidence.

Based on all the foregoing information, there is probable cause to believe that evidence of the above-listed crimes exists in the below described digital devices and that there is probable cause to seize and search those devices for the evidence of the above crimes for the date range August 21, 2022 to 11:59 p.m. on November 14, 2022 including:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ,
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and

images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;

- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Based on ISP Investigators view of the apartment on December 27, 2022, I know that 1630 NE Valley Road is a three story, multiple occupancy apartment building in Pullman, WA which is tan and white in color. Apartment G201 is located on the northeast corner of the second story of this building. The door to G201 is located on the east side of the second story landing and is designated by the numbers "201" on the door. The door is white, with a swinging screen door on the outside of the main door to the residence. Kohberger has been identified as the occupant of this apartment on leasing documents obtained via subpoena as part of this investigation. Investigators have been informed via the postal inspector that Kohberger is the only person receiving mail at Apartment G201, this leads investigators to believe he is the sole occupant.

Based on all of the above information, I conclude that there is a probability that Kohberger committed the four murders at the King Road Residence. I have probable cause to believe evidence of the crimes committed at the King Road Residence will be found at Kohberger's Residence located at 1630 NE Valley Road, Apt.G201, Pullman, WA. I have probable cause to believe that Bryan Kohberger committed the crimes of Murder First Degree, Idaho Code 18-4001, 4002, 4003, 4004 in four counts and Burglary, I.C. 18-1401, 1403, all Felonies. Mr. Kohberger has been charged with the above offenses in Latah County, Idaho.

Based on all of the above information, I am seeking a search warrant for the Kohberger Residence, to search for:

1. Blood, or other bodily fluid or human tissue or skin cells, or items with blood or other bodily fluid or human tissue or skin cells on the items.
2. Knives, sheaths, or other sharp tools, including any dagger, dirk, or sword, and any written indicia of ownership of same, including sales receipts.
3. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.
4. Clothing, including but not limited to dark shirt(s), dark pant(s), mask(s), shoes with diamond pattern sole.
5. Trace evidence including DNA from blood or skin cells or other source, footprints, fingerprints, hair (whether human or animal/dog).
6. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ; and data compilations showing the location of Bryan Kohberger, or the cell phone with number 509-592-8458, on November 13, 2022,

including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cell phones or computer towers/laptops/tablets. As example, but not intended to be an exclusive list of data compilations being sought: ledgers, papers, lists, books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

7. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;

- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;

- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M.

- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;

- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

8. Indicia of residence in, or ownership or possession of, the premises and any of the above items.

I am seeking a search warrant for Kohberger's office at WSU to search for:

1. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen B.F. , and/or D.M. and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.
2. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ; and data compilations showing the location of Bryan Kohberger, or the cell phone with number 509-592-8458, on November 13, 2022, including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cell phones or computer towers/laptops/tablets. As example, but not intended to be an exclusive list of data compilations being sought: ledgers, papers, lists,

books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

3. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. and/or D.M. ;
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and

images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;

- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

4. Indicia of ownership or possession or right to use of, the office premises and any of the above items.

Based off the above information, I am also seeking a search warrant for Kohberger's office on the Washington State University Campus. I have probable cause to believe evidence of the crimes committed at the King Road Residence will be found in Kohberger's office located on the WSU campus at Wilson-Short Hall, #12, Pullman, WA. It is common for individuals to keep documents, records, and information of the type described above in their office and Kohberger's office is the other location identified where this evidence could be found. Based off of the WSU website Kohbergr's office is inside Wilson-Short Hall. The address of Wilson-Short Hall is 1475 Glenn Terrell Mall, Pullman, WA 99163. Wilson-Short Hall is a four-story brick building housing multiple offices. Kohberger's office is #12. #12 is a student office shared by Kohberger and two fellow WSU students, Kai-Xuan Chen and Nayoung Ko. Kohberger has been confirmed to be one of the students who utilizes this office. On December 29, 2022 Investigators visited the

office and Kohberger's name in on the outside. Based off the above information, I am also seeking a search warrant for Kohberger's office on the Washington State University Campus. It is common for individuals to keep documents, records, and information of the type described above in their office and Kohberger's office is the other location identified where this evidence could be found.

I declare under penalty of perjury pursuant to the laws of the States of Idaho, Washington, and Pennsylvania, that the foregoing is true and correct.

12-29-22

Date

Affiant

SUBSCRIBED and SWORN to before me this 29th day of December, 2022.

MALLORY STREIGLE NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho.
Residing at 522 S. Adams St.
Commission expires 12/16/25

FILED
JAN 17 2023
JILL E. WHELCHEL
WHITMAN COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHITMAN

IN THE MATTER OF APPLICATION FOR SEARCH WARRANT	SW NO. 12-29-2022B **MOTION AND ORDER FOR ORIGINAL SEARCH WARRANT AND SEARCH WARRANT APPLICATION TO REMAIN SEALED BUT A REDACTED VERSION BE PROVIDED FOR PUBLIC RELEASE** Clerk's Action Required

MOTION

COMES NOW, the State of Washington, by and through Denis Tracy, Whitman County Prosecuting Attorney, and moves the court for an Order to keep sealed the Search Warrant and Search Warrant Application numbered SW NO. 12-29-2022B, but to allow the State to file redacted versions which replace the victim witnesses' names with initials, pursuant to GR 15.

BASIS

The Washington State Constitution recognizes that victims of crimes have rights, and states that "Effective law enforcement depends on cooperation from victims of crime." Wash. Const. art. 1, §35. The Washington State Legislature has recognized that there is a "severe and detrimental impact on crime victims, survivors of victims, and witnesses of crime and [and yet there is] the civic and moral duty of victims, survivors of victims, and witnesses of crimes to fully and voluntarily

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

cooperate with law enforcement and prosecutorial agencies." RCW 7.69.010. In a criminal proceeding, the law requires that a reasonable effort is made to ensure that "victims, survivors of victims, and witnesses of crimes" have the right "[t]o receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts." RCW 7.69.030(5). Washington Courts have long acknowledged that a victim's initials can be substituted for their name. *See State v. Mansour,* 14 Wn.App.2d 323 (2020).

The basis for this motion is that there are two surviving victims/witnesses of a now notorious and much publicized murder/burglary in Moscow, Idaho, whose full names are listed in this search warrant and search warrant application. These warrants were issued and served in Washington State, because a suspect in the crimes resided and worked here during the time of the murders. These warrants and associated applications were sealed, due to the sensitive nature of the investigation at that time. Since then, an extensive probable cause affidavit has been unsealed in Latah County, Idaho, which has alleviated much of the need for sealing here in Washington. But the documents filed in Latah County have not disclosed the surviving victims' names, only their initials. These victims should have the level of protection that can be provided by having their initials substituted for their full names in the search warrants and search warrant applications which become publicly available from this court.

The State is asking the Court to consider the usual factors: (1) showing of the need for sealing the records, and where that need is based on a right other than an accused's right to a fair trial, a serious and imminent threat to that right; (2) anyone present when motion is made must be given an opportunity to object to the closure; (3) the proposed method for curtailing open access must be the least restrictive means available for protecting the threatened interests; (4) the court must weigh the competing interests of the proponent of closure and the public; and (5) the order must be no broader in its application or duration than necessary to serve its purpose.

The State contends that the need to protect victim identification is important to their safety, health and well-being and that victims and witnesses' rights should be protected vigorously just as the legislature and the State's founders intended. The proposed method is to file a complete search warrant and application for warrant with only the surviving victims' names redacted and replaced with initials. This is a very minor closure of a court document in order to protect a very important

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

victim interest. Finally, the order will be no broader in application than necessary to serve its purpose, and the public will still have the pertinent information at its disposal in order to understand the proceedings of the court.

Dated January 17, 2023.

Presented by:

Denis P. Tracy WSBA# 20383
Prosecuting Attorney

ORDER

It is ordered that the Search Warrant and Application For Search Warrant already filed in this matter shall remain sealed, but the State shall immediately file redacted versions of those documents with the surviving victim's names redacted and replaced with initials.

Dated this 17th Day of January, 2023.

Judge Gary Libey

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

FILED
JAN 17 2023
JILL E.WHELCHEL
WHITMAN COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF WHITMAN

IN THE MATTER OF APPLICATION FOR SEARCH WARRANT	SW NO. 12-29-2022B **MOTION AND ORDER TO UNSEAL WARRANT RETURN** Clerk's Action Required

MOTION

COMES NOW, the State of Washington, by and through Denis Tracy, Whitman County Prosecuting Attorney, and moves the court for an Order to Un-seal the Return of Service of Search Warrant numbered SW NO. 12-29-2022B, pursuant to GR 15.

BASIS

These warrants were issued and served in Washington State, because a suspect in the crimes resided and worked here during the time of the murders. These warrants and associated applications were sealed, due to the sensitive nature of the investigation at that time. Since then, an extensive probable cause affidavit has been unsealed in Latah County, Idaho, which has alleviated the need for sealing of the Return of Service here in Washington.

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

Dated January 17, 2023.

Presented by:

Denis P. Tracy WSBA# 20383
Prosecuting Attorney

ORDER

It is ordered that the Return of Service of Search Warrant in this matter is hereby Un-sealed.

Dated this 17th Day of January, 2023.

Judge Gary Libey

DENIS P. TRACY
WHITMAN COUNTY PROSECUTOR
PO Box 30 • Colfax, WA 99111
(509) 397-6250 • (509) 397-5659 FAX

FILED
JAN 17 2023
JILL E. WHELCHEL
WHITMAN COUNTY CLERK

SUPERIOR COURT, WHITMAN COUNTY, WASHINGTON

STATE OF WASHINGTON)
)
COUNTY OF WHITMAN)

SW NO: 12-29-2022B
REDACTED
SEARCH WARRANT[1]
(Office)

TO ANY PEACE OFFICER IN THE STATE OF WASHINGTON:

Upon the sworn complaint made before me, there is probable cause to believe that the crime(s) of Murder in the first degree and Burglary, per Idaho Code has been committed, in Idaho, and that evidence of that/those crime(s); or contraband, the fruits of crime, or things otherwise criminally possessed; or weapons or other things by means of which a crime has been committed or reasonably appears about to be committed; is concealed in or on certain premises.

In making this determination, this court did not consider the information in the 'Supplemental Disclosure re DNA Test' as evidence supporting the existence of probable cause. This court also does not consider the information in that Supplemental Disclosure to be exculpatory.

YOU ARE COMMANDED to:

1. Search, within 10 days of this date, the premises described as follows:

   The office is inside Wilson-Short Hall on the WSU Pullman, WA campus. The address of Wilson-Short Hall is 1475 Glenn Terrell Mall, Pullman, WA 99163. Wilson-Short Hall is a multi-story brick building, housing multiple offices. The office to be searched is #12. #12 is a student office shared by Kohberger and two fellow WSU students, Kai-

Xuan Chen and Nayoung Ko. It is on the ground floor and has the number 12 on a placard next to the door, and has three names on a piece of paper taped to the door, one of which is Bryan Kohberger.

2. Seize, if located, evidence of the above-listed crimes, including:

1. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.

2. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ; and data compilations showing the location of Bryan Kohberger, or the cell phone with number 509-592-8458, on November 13, 2022, including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cell phones or computer towers/laptops/tablets. As example, but not intended to be an exclusive list of data compilations being sought: ledgers, papers, lists, books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

3. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard

drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ;
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;
- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

4. Indicia of residence in, or ownership or possession of, the premises and any of the above items, including mail, receipts, identification, bills, rental agreements, licensing documents and other personal property whose owner/possessor may be readily determined.

Assistance from any law enforcement agencies from the State of Idaho or the federal government, or any technical specialist associated with or employed by or contracted with such law enforcement agencies, including but not limited to the Moscow Police Department, Idaho State Police, FBI, Idaho State Police Forensic Services is authorized.

Assistance from a technical specialist is also authorized to review any digital devices and digital media for the best and least intrusive method of securing digital evidence that the warrant authorizes for seizure, and to assist in securing such evidence.

Promptly return this warrant to me or the clerk of this court; the return must include an inventory of all property seized.

A copy of the warrant and a receipt for the property taken shall be given to the person from whom or from whose premises property is taken. If no person is found in possession, a copy and receipt shall be conspicuously posted at the place where the property is found.

Date/Time: 12/29/2022 9:25 pm

Signature: _____
SUPERIOR COURT JUDGE
Printed Judge's Name: MARY DAVIS

SUPERIOR COURT, WHITMAN COUNTY, WASHINGTON

STATE OF WASHINGTON	)	**SW NO.** 12-29-2022 B
	)	REDACTED
COUNTY OF WHITMAN	)	**APPLICATION FOR SEARCH WARRANT (Office)**

Declaration

I, Dawn Daniels, Assistant Chief WSU Police Department, declare that I have personal knowledge of the matters herein and/or am relying on witness statements, information provided by my fellow officers, including fellow officers from the State of Idaho, reports, and other material I have gathered in my investigation, and that I am competent to testify to the matters stated herein:

On the basis of the following, I believe there is probable cause that Bryan Kohberger has committed the crime(s) of Murder First Degree, Idaho Code (IC) 18-4001, 4002, 4003, 4004, and Burglary, IC 18-1401, 1403 in Moscow, Idaho, and that:

- ☒ Evidence of those crimes;
- ☐ Contraband, the fruits of a crime, or things otherwise criminally possessed;
- ☐ Weapons or other things by means of which a crime has been committed or reasonably appears about to be committed;
- ☐ A person for whose arrest there is probable cause, or who is unlawfully restrained;

is located in, on, at, or about the following described premises, vehicle or person:

The office is inside Wilson-Short Hall on the WSU Pullman, WA campus. The address of Wilson-Short Hall is 1475 Glenn Terrell Mall, Pullman, WA

99163. Wilson-Short Hall is a multi-story brick building, housing multiple offices. The office to be searched is #12. #12 is a student office shared by Kohberger and two fellow WSU students, Kai-Xuan Chen and Nayoung Ko. It is on the ground floor and has the number 12 on a placard next to the door, and has three names on a piece of paper taped to the door, one of which is Bryan Kohberger.

Affiant

(1) I am a police officer at Washington State University Police Department, and have been so employed since July 20, 1998. I attended and successfully completed the 440-hour Washington State Criminal Justice Training Commission's Basic Law Enforcement Academy. While at the academy, I completed courses in Criminal Law, Criminal Procedures and other investigative courses. Since the academy, I have continued my education in various law enforcement related fields including Officer Involved Shooting, Evidence Collection, and Threat Assessment. I have investigated and assisted in the service of over 50 search warrants.

Persons providing information:

1. Moscow, Idaho Police Officer Sgt. Dustin Blaker. Sgt. Blaker's sworn statement is attached hereto as Exhibit A, and is hereby incorporated in this application for search warrant. Sgt. Blaker identifies his experience and training in his statement.
2. Other officers and witnesses are identified in Sgt. Blaker's sworn statement.

The Investigation

I was contacted by Moscow police officers and asked to assist their investigation into the recent murder of four people in Moscow, Idaho. Sgt. Blaker of the Moscow Police Department has developed probable cause to believe that a resident of Whitman County, Bryan Kohberger, committed the murders and burglary. I agree with Sgt. Blaker's statement that there is probable cause to believe that Kohberger committed the murders and burglary and that there is probable cause to believe that evidence of those crimes will be located in Kohberger's campus office, at

Office #12 in Wilson-Short Hall on the WSU campus in Pullman. I am seeking this search warrant to search that office.

The probable cause is described in detail in the attached Exhibit A, sworn statement of Sgt. Blaker, which is hereby incorporated herein by this reference, just as if fully set forth here.

Based on all the foregoing information, I believe that evidence of the above-listed crime(s) exists at the above-described location, and that there is probable cause to search that location for evidence of the above-listed crimes, including:

1. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.

2. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. and/or D.M. ; and data compilations showing the location of Bryan Kohberger, or the cellphone with number 509-592-8458, on November 13, 2022, including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cellphones or computer towers/laptops/tablets. As example, but not intended to be an exclusive list of data compilations being sought: ledgers, papers, lists, books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

3. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ;
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;
- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

8. Indicia of residence in, or ownership or possession of, the premises and any of the above items, including mail, receipts, identification, bills, rental agreements, licensing documents and other personal property whose owner/possessor may be readily determined.

In addition, I am asking the court to authorize, in the service of the search warrant, the use of assistance from any law enforcement agencies from in the State of Idaho or the federal government, or any technical specialist associated with or employed by or contracted with such law enforcement agencies, including but not limited to the Moscow Police Department, Idaho State Police, FBI, Idaho State Police Forensic Services.

I am also asking for authorization of assistance from a technical specialist to review any digital devices and digital media for the best and least intrusive method of securing digital evidence that the warrant authorizes for seizure, and to assist in securing such evidence.

Supplemental Disclosure re DNA Test

I have been informed by Detective JR Talbott of the Idaho State Police, that:

1. On November 13, 2022, a sheath was recovered at the King Road Residence under or next to the body of Madison Mogen. The Idaho State Crime Lab obtained a male DNA profile (Suspect Profile) from the sheath. (This is also referred to in Sgt. Blaker's sworn statement – Exhibit A.)

2. On December 27, 2022, law enforcement agents/officers in Pennsylvania recovered trash that originated from the Kohberger family residence. That trash was sent to the

Idaho State Crime Lab for testing. On December 28, 2022, the Idaho State Lab reported that a DNA profile was obtained from the trash; it was compared to the Suspect DNA Profile; the Lab personnel concluded that the source of the trash dna profile was a male and was not being excluded as the biological father of the source of the Suspect Profile. At least 99.9998% of the male population would be expected to be excluded from the possibility of being the biological father of the source of the Suspect Profile.

This information is being provided to the court pursuant to my duty and obligation to be fully candid with the court. I do not believe this information is exculpatory for the suspect. However, if the court believes it is exculpatory, then the court should consider this supplemental disclosure in its evaluation of the existence of probable cause, or lack thereof.

But I am specifically asking the court to NOT consider this supplemental disclosure as evidence supporting the existence of probable cause. The reason for this request is that if the dna test results are held inadmissible at some point, such a ruling would not impact the finding of probable cause for this warrant, so long as this court is satisfied as to probable cause regardless of the dna test result.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed this 29th day of December, 2022, at Pullman, WA.

Declarant's Signature: _____

Declarant's Full Name: Dawn Daniels
Agency Badge/Serial or Personnel #: 302
Agency Name: Washington State University Police Dept.

On 29th day of December, 20__, I reviewed and considered the above application, submitted to me under penalty of perjury.

Signature: _____
SUPERIOR/DISTRICT COURT JUDGE
Printed Judge's Name: GARY A. LIBEY

Issuance of Warrant Approved:
Whitman County Prosecuting Attorney

By: _____
[Prosecutor name], WSBA # 20383
[~~Senior~~] Deputy Prosecuting Attorney
Criminal Division

Exhibit A
Statement of Dustin Blaker

The below information is provided by Sergeant (SGT) Dustin Blaker. I am a duly appointed, qualified and acting peace officer within the County of Latah, State of Idaho. I am employed by Moscow Police Department (MPD) in the official capacity or position of Sergeant and I have been a trained and qualified peace officer for approximately twenty-two years. I attended the Idaho Peace Officers Academy from January 2000 to March of 2000 and then completed a sixteen-week field training program where I was released in July of 2000. During my sixteen years of law enforcement, I have attended additional training to include Basic Narcotics training which trained me in handling high level cases. I have conducted many search warrants and I have assisted with previous homicide investigations while at the Moscow Police Department. I am being assisted by other officers of the Moscow Police Department, members of the Idaho State Police (ISP) and agents of the Federal Bureau of Investigation (FBI).

On November 13, 2022, at approximately 4:00 p.m., Moscow Police Department Corporal (CPL) Brett Payne and I responded to 1122 King Road, Moscow, Idaho, hereafter the "King Road Residence," to assist with scene security and processing of a crime scene associated with four homicides. Upon our arrival, the Idaho State Police Forensic Team was on scene and was preparing to begin processing the scene. MPD Officer (OFC) Smith, one of the initial responding officers to the incident, advised he would walk me through the scene.

OFC Smith and I entered the King Road Residence through the bottom floor door on the north side of the building. OFC Smith and I then walked upstairs to the second floor. OFC Smith directed me down the hallway to the west bedroom on the second floor, which I later learned

(through Xana's driver's license and other personal belongings found in the room) was Xana Kernodle's, hereafter "Kernodle" room. Just before this room there was a bathroom door on the south wall of the hallway. As I approached the room, I could see a body, later identified as Kernodle's, laying on the floor. Kernodle was deceased with wounds which appeared to have been caused by an edged weapon.

Also in the room was a male, later identified as Ethan Chapin, hereafter, "Chapin". Chapin was also deceased with wounds later determined (Autopsy Report provided by Spokane County Medical Examiner Veena Singh dated December 15, 2022) to be caused by "sharp-force injuries".

I then followed OFC Smith upstairs to the third floor of the residence. The third floor consisted of two bedrooms and one bathroom. The bedroom on the west side of the floor was later determined to be Kaylee Goncalves, hereafter "Goncalves," room. I later learned (from review of Officer Nunes' body camera) there was a dog in the room when Moscow Police Officers initially responded. The dog belonged to Goncalves and her ex-boyfriend Jack Ducoeur. I found out from Cpl. Payne's interview with Jack Ducouer on November 13, 2022 that he and Goncalves shared the dog. OFC Smith then pointed out a small bathroom on the east side of the third floor. This bathroom shared a wall with Madison Mogen's, hereafter "Mogen" bedroom which was situated on the southeast corner of the third floor.

As I entered this bedroom, I could see two females in the single bed in the room. Both Goncalves and Mogen were deceased with visible stab wounds. I was later advised by ISP investigators they located a tan leather knife sheath laying on the bed next to Mogen's right side (when viewed from the door). The sheath was later processed and had "Ka-Bar", "USMC" and the United States Marine Corps eagle globe and anchor insignia stamped on the outside of it.

The Idaho State Lab later located a single source of male DNA left on the button snap of the knife sheath.

As part of the investigation, numerous interviews were conducted by Moscow Police Department Officers, Idaho State Police Detectives, and FBI Agents. Two of the interviews included _ B.F. (hereafter " B.F. "), and D.M. (hereafter ' D.M. '). Both B.F. and D.M. were inside the King Road Residence at the time of the homicides and were roommates to the victims. B.F. bedroom was located on the east side of the first floor of the King Road Residence.

Based on numerous interviews conducted by MPD Officers, ISP Detectives, and FBI Agents as well as my review of evidence, I have learned the following:

On the evening of November 12, 2022, Chapin and Kernodle are seen by B.F. at the Sigma Chi house on the University of Idaho campus at 735 Nez Perce Drive from approximately 9:00 p.m. B.F. also stated that Chapin did not live in the King Road Residence but was a guest of Kernodle.

Goncalves and Mogen were at a local bar, the Corner Club at 202 N. Main Street, in Moscow. Goncalves and Mogen can be seen on video footage provided by the Corner Club between 10:00 p.m. on November 12 and 1:30 a.m. on November 13th. At approximately 1:30 a.m. Goncalves and Mogen can be seen on video at a local food vendor called the "Grub Truck" at 318 S. Main Street in downtown Moscow. The Grub Truck live streams video from their food truck on the streaming platform Twitch which is available for public viewing on their website. This video was captured by law enforcement. A private party reported that he provided a ride to

Goncalves and Mogen at approximately 1:56 a.m. from downtown Moscow (in front of the Grub Truck) to the King Road Residence.

D.M. and B.F. both made statements during interviews that indicated the occupants of the King Road Residence were at home by 2:00 a.m. and asleep or at least in their rooms by approximately 4:00 a.m. This is with the exception of Kernodle, who received a DoorDash order at the residence at approximately 4:00 a.m. (law enforcement identified the DoorDash delivery driver who reported this information).

D.M. stated she originally went to sleep in her bedroom on the southeast side of the second floor. D.M. stated she was awoken at approximately 4:00 a.m. by what she stated sounded like Goncalves playing with her dog in one of the upstairs bedrooms, which were located on the third floor. A short time later, D.M. said she heard who she thought was Goncalves say something to the effect of "there's someone here." A review of records obtained from a forensic download of Kernodle's phone showed this could also have been Kernodle as her cellular phone indicated she was likely awake and using the TikTok app at approximately 4:12 a.m.

D.M. stated she looked out of her bedroom but did not see anything when she heard the comment about someone being in the house. D.M. stated she opened her door a second time when she heard what she thought was crying coming from Kernodle's room. D.M. then said she heard a male voice say something to the effect of "it's ok, I'm going to help you."

At approximately 4:17 a.m., a security camera located at 1112 King Road, a residence immediately to the northwest of 1122 King Road, picked up distorted audio of what sounded like voices, or a whimper followed by a loud thud. A dog can also be heard barking numerous times starting at 4:17 a.m. The security camera is less than fifty feet from the west wall of Kernodle's bedroom.

D.M. stated she opened her door for the third time after she heard the crying and saw a figure clad in black clothing and a mask that covered the person's mouth and nose walking towards her. D.M. described the figure as 5'10" or taller, male, not very muscular, but athletically built with bushy eyebrows. The male walked past D.M. as she stood in a "frozen shock phase." The male walked towards the back sliding glass door. D.M. locked herself in her room after seeing the male. This leads investigators to believe that the murderer left the scene.

The combination of D.M. statements to law enforcement, reviews of forensic downloads of records from B.F. and D.M. phone, and video of a suspect vehicle as described below leads investigators to believe the homicides occurred between 4:00 a.m. and 4:25 a.m.

During the processing of the crime scene, investigators found a latent shoe print. This was located during the second processing of the crime scene by the ISP Forensic Team by first using a presumptive blood test and then Amino Black, a protein stain that detects the presence of cellular material. The detected shoe print showed a diamond-shaped pattern (similar to the pattern of a Vans type shoe sole) just outside the door of D.M. bedroom (located on

second floor). This is consistent with D.M. statement regarding the suspect's path of travel.

As part of the investigation, an extensive search, commonly referred to in law enforcement as a "video canvass," was conducted in the area of the King Road Residence. This video canvass was to obtain any footage from the early morning hours of November 13, 2022, in the area of the King Road Residence and surrounding neighborhoods in an effort to locate the suspect(s) or suspect vehicle(s) traveling to or leaving from the King Road Residence. This video canvass resulted in the collection of numerous surveillance videos in the area from both residential and business addresses. I have reviewed numerous videos that were collected and have had conversations with the other MPD Officers, ISP Detectives, and FBI Agents that are similarly reviewing footage that was obtained.

A review of camera footage indicated that a white sedan, hereafter "Suspect Vehicle 1", was observed traveling westbound in the 700 block of Indian Hills Drive in Moscow at approximately 3:26 a.m and westbound on Styner Avenue at Idaho State Highway 95 in Moscow at approximately 3:28 a.m. On this video, it appeared Suspect Vehicle 1 was not displaying a front license plate.

A review of footage from multiple videos obtained from the King Road Neighborhood showed multiple sightings of Suspect Vehicle 1 starting at 3:29 a.m. and ending at 4:20 a.m. These sightings show Suspect Vehicle 1 makes an initial three passes by the 1122 King Road residence and then leave via Walenta Drive. Based off of my experience as a Patrol Officer this is a residential neighborhood with a very limited number of vehicles that travel in the area during the early morning hours. Upon review of the video there are only a few cars that enter and exit this area during this time frame.

Suspect Vehicle 1 can be seen entering the area a fourth time at approximately 4:04 a.m. It can be seen driving eastbound on King Road, stopping and turning around in front of 500 Queen Road #52 and then driving back westbound on King Road. When Suspect Vehicle 1 is in front of the King Road Residence, it appeared to unsuccessfully attempt to park or turn around in the road. The vehicle then continued to the intersection of Queen Road and King Road where it can be seen completing a three-point turn and then driving eastbound again down Queen Road.

Suspect Vehicle 1 is next seen departing the area of the King Road Residence at approximately 4:20 a.m. at a high rate of speed. Suspect Vehicle 1 is next observed traveling southbound on Walenta Drive. Based on my knowledge of the area and review of camera footage in the neighborhood that does not show Suspect Vehicle 1 during that timeframe, I believe that Suspect Vehicle 1 likely exited the neighborhood at Palouse River Drive and Conestoga Drive. Palouse River Drive is at the southern edge of Moscow and proceeds into Whitman County, Washington. Eventually the road leads to Pullman, Washington. Pullman Washington is approximately 10 miles from Moscow, Idaho. Both Pullman and Moscow are small college towns and people commonly travel back and forth between them.

Law enforcement officers provided video footage of Suspect Vehicle 1 to forensic examiners with the Federal Bureau of Investigation that regularly utilize surveillance footage to identify the year, make, and model of an unknown vehicle that is observed by one or more cameras during the commission of a criminal offense. The Forensic Examiner has approximately 35 years law enforcement experience with twelve years at the FBI. His specific training includes identifying unique characteristics of vehicles, and he uses a database that gives visual clues of vehicles across states to identify differences between vehicles.

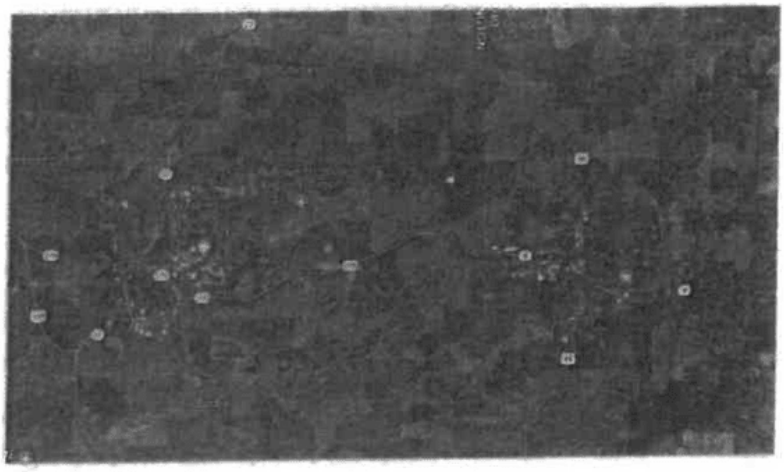
After reviewing the numerous observances of Suspect Vehicle 1, the forensic examiner initially believed that Suspect Vehicle 1 was a 2011-2013 Hyundai Elantra. Upon further review, they indicated it could also be a 2011-2016 Hyundai Elantra. As a result, investigators have been reviewing information on persons in possession of a vehicle that is a 2011-2016 white Hyundai Elantra.

Investigators were given access to video footage on the Washington State University (WSU) campus located in Pullman, WA. WSU maintains a series of surveillance cameras on and near its campus. A review of that video indicated that at approximately 2:44 a.m. on November 13, 2022, a white sedan, which was consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed on WSU surveillance cameras travelling north on southeast Nevada Street at northeast Stadium Way. At approximately 2:53 a.m., a white sedan, which is consistent with the description of the White Elantra known as Suspect Vehicle 1, was observed traveling southeast on Nevada Street in Pullman, WA towards SR 270. SR 270 connects Pullman, Washington to Moscow, Idaho. This camera footage from Pullman, WA was provided to the same FBI Forensic Examiner. The Forensic Examiner identified the vehicle observed in Pullman, WA as being a 2014-2016 Hyundai Elantra.

At approximately 5:25 a.m., a white sedan, which was consistent with the description of Suspect Vehicle 1, was observed on five cameras in Pullman, WA and on WSU Campus cameras. The first camera that recorded the white sedan was located at 1300 Johnson Road in Pullman. The white sedan was observed traveling northbound on Johnson Road. Johnson Road leads directly back to West Palouse River Drive in Moscow which intersects with Conestoga Drive. The white sedan was then observed turning north on Bishop Boulevard and northwest on SR 270. At approximately 5:27 a.m., the White Elantra was observed on cameras traveling

northbound on Stadium Way at Nevada Street, Stadium Way at Grimes Way, Stadium Drive at Wilson Road, and Stadium Way at Cougar Way.

Depiction showing Moscow and Pullman:



Depiction showing White Elantra's path of travel (not to scale):

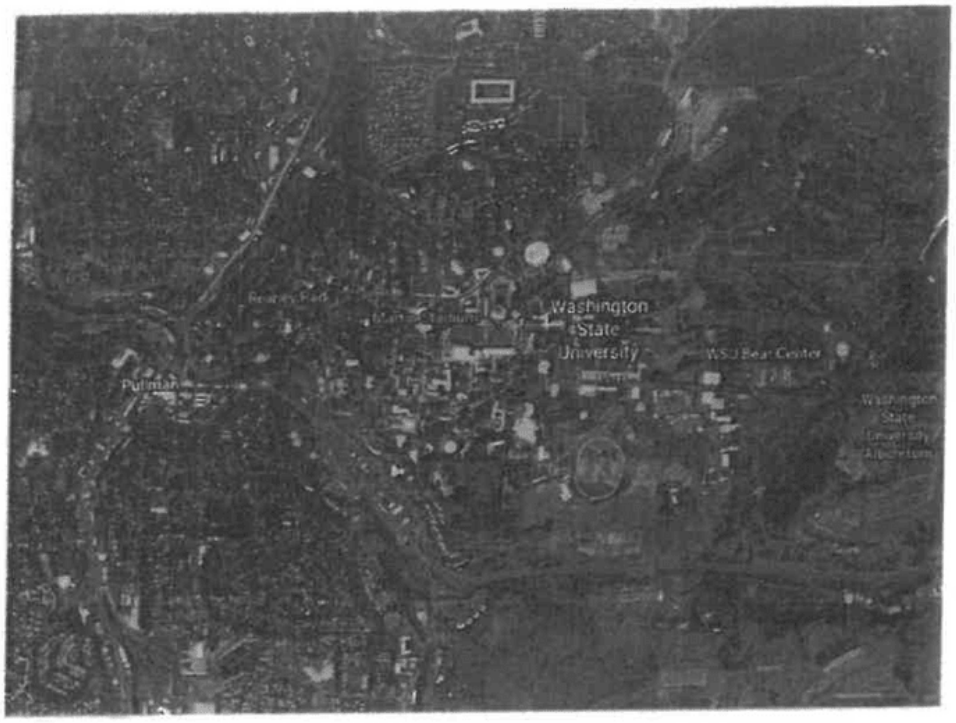
Legend

△ White Elantra seen leaving WSU Campus

▲ White Elantra seen Returning to WSU Campus

1630 NE Valley Road

Arrows are camera locations and indicate vehicle direction of travel



On November 25, 2022, MPD asked area law enforcement agencies to be on the lookout for white Hyundai Elantras in the area. On November 29, 2022, at approximately 12:28 a.m., Washington State University (WSU) Police Officer Daniel Tiengo, queried white Elantras registered at WSU. As a result of that query he located a 2015 white Elantra with a Pennsylvania license plate LFZ-8649. This vehicle was registered to Bryan Kohberger hereafter "Kohberger" residing at 1630 NE Valley Road, Apartment 201, Pullman, Washington. 1630 NE Valley Road is approximately three-quarters of a mile from the intersection of Stadium Way and Cougar Way (last camera location that picked up the white Elantra).

That same day at approximately 12:58 a.m., WSU Officer Curtis Whitman was looking for white Hyundai Elantra's and located a 2015 white Hyundai Elantra at 1630 NE Valley Road in Pullman in the parking lot. 1630 NE Valley Road is an apartment complex that houses WSU students. Officer Whitman also ran the car and it returned to Kohberger with a Washington tag. I reviewed Kohberg's WA state driver license information and photograph. This license indicates that Kohberger is a white male with a height of 6' and weighs 185 pounds. Additionally, the photograph of Kohberger shows that he has bushy eyebrows. Kohberger's physical description is consistent with the description of the male D.M. saw inside the King Road Residence on November 13th.

Further investigation, including a review of Latah County Sheriff's Deputy Corporal (CPL) Duke's body cam and reports, showed that on August 21, 2022, Bryan Kohberger was detained as part of a traffic stop that occurred in Moscow, Idaho, by CPL Duke. At the time, Kohberger, who was the sole occupant, was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649 which was set to expire on November 30, 2022. During the stop, which was recorded via a law enforcement body camera, Kohberger provided his phone number as 509-592-8458, hereafter the "8458 Phone" as his cellular telephone number. Investigators conducted electronic database queries and learned that the 8458 Phone is a number issued by AT&T.

On October 14, 2022, Bryan Kohberger was detained as part of a traffic stop by a WSU Police Officer. Upon review of that body cam and report of the stop, Kohberger was the sole occupant and was driving a white 2015 Hyundai Elantra with Pennsylvania plate LFZ-8649.

On November 18, 2022, according to WA state licensing, Kohberger registered the 2015 white Elantra with WA and later received WA plate CFB-8708. Prior to this time, the 2015 white Elantra was registered in Pennsylvania, which does not require a front license plate to be displayed (this was learned through communications with a Pennsylvania officer who is currently certified in the State of Pennsylvania). Based on my own experience and communication with Washington law enforcement, I know that Idaho and Washington require front and back license plates to be displayed.

Investigators believe that Kohberger is still driving the 2015 white Elantra because his vehicle was captured on December 13, 2022, by a license plate reader in Loma, Colorado (information provided by a query to a database). Kohberger's Elantra was then queried on December 15, 2022 by law enforcement in Hancock County, Indiana. On December 16, 2022 at approximately 2:26 p.m., surveillance video showed Kohberger's Elantra in Albrightsville, Pennsylvania. The sole occupant of the vehicle was a white male whose description was consistent with Kohberger. Kohberger has family in Albrightsville, Pennsylvania (learned through TLO which is a search and locate tool database query used by law enforcement).

Based on information provided on the WSU website, Kohberger is currently a Ph.D Student in Criminology at Washington State University. Pursuant to records provided by a member of the interview panel for Pullman Police Department, we learned that Kohberger's past education included undergraduate degrees in psychology and cloud-based forensics. These records also showed Kohberger wrote an essay when he applied for an internship with the Pullman Police Department in the fall of 2022. Kohberger wrote in his essay he had interest in assisting rural law enforcement agencies with how to better collect and analyze technological data in public safety operations. Kohberger also posted a Reddit survey which can be found by

an open-source internet search. The survey asked for participants to provide information to "understand how emotions and psychological traits influence decision making when committing a crime."

As part of this investigation, law enforcement obtained search warrants to determine cellular devices that utilized cellular towers in close proximity to the King Road Residence on November 13, 2022 between 3:00 a.m. and 5:00 a.m. After determining that Kohberger was associated to both the 2015 White Elantra and the 8458 Phone, investigators reviewed these search warrant returns. A query of the 8458 Phone in these returns did not show the 8458 Phone utilizing cellular tower resources in close proximity to the King Road Residence between 3:00 a.m. and 5:00 a.m.

Based on my training, experience, and conversations with law enforcement officers that specialize in the utilization of cellular telephone records as part of investigations, individuals can either leave their cellular telephone at a different location before committing a crime or turn their cellular telephone off prior to going to a location to commit a crime. This is done by subjects in an effort to avoid alerting law enforcement that a cellular device associated with them was in a particular area where a crime is committed. I also know that on numerous occasions, subjects will surveil an area where they intend to commit a crime prior to the date of the crime. Depending on the circumstances, this could be done a few days before or for several months prior to the commission of a crime. During these types of surveillance, it is possible that an individual would not leave their cellular telephone at a separate location or turn it off since they do not plan to commit the offense on that particular day.

On December 23, 2022, Cpl. Payne applied for and was granted a search warrant for historical phone records between November 12, 2022 at 12:00 a.m. and November 14, at 12:00 a.m. for the 8458 Phone held by the phone provider AT&T (approximately 24 hours proceeding and following the times of the homicides).

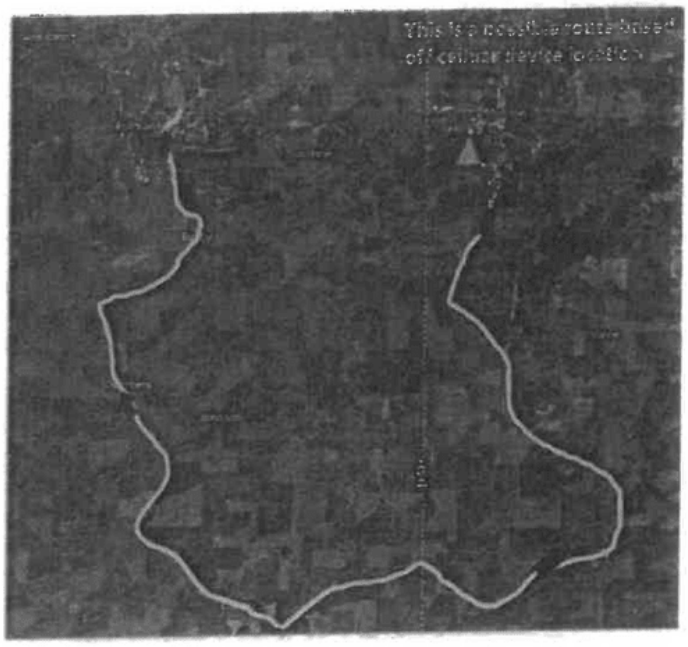
On December 23, 2022, pursuant to that search warrant, Cpl, Payne received records for the 8458 Phone from AT&T. These records indicated that the 8458 Phone is subscribed to Bryan Kohberger at an address in Albrightsville, Pennsylvania and the account has been open since June 23, 2022. These records also included historical cell site location information (CSLI) for the 8458 Phone. After receiving this information, MPD consulted with an FBI Special Agent (SA) that is certified as a member of the Cellular Analysis Survey Team (CAST). Members of CAST are certified with the FBI to provide expert testimony in the field of historical CSLI and are required to pass extensive training that includes both written and practical examinations prior to be certified with CAST as well as the completion of yearly certification requirements. Additionally, the FBI CAST SA that I consulted with has over fifteen years of federal law enforcement experience, which includes six years with the FBI. From information provided by CAST, investigators were able to determine estimated locations for the 8458 Phone from November 12, 2022 to November 13, 2022, the time period authorized by the court.

On November 13, 2022 at approximately 2:42 a.m., the 8458 Phone was utilizing cellular resources that provide coverage to 1630 Northeast Valley Road, Apt G201, Pullman, WA, hereafter the "Kohberger Residence." At approximately 2:47 a.m., the 8458 Phone utilized cellular resources that provide coverage southeast of the Kohberger Residence consistent with the 8458 Phone leaving the Kohberger Residence and traveling south through Pullman, WA. This is consistent with the movement of the white Elantra. At approximately 2:47 a.m. the 8458

Phone stops reporting to the network, which is consistent with either the phone being in an area without cellular coverage, the connection to the network is disabled (such as putting the phone in airplane mode), or that the phone is turned off. The 8458 Phone does not report to the network again until approximately 4:48 a.m. at which time it utilized cellular resources that provide coverage to ID state highway 95 south of Moscow, ID near Blaine, ID (town north of Genesee). Between 4:50 a.m. and 5:26 a.m., the phone utilizes cellular resources that are consistent with the 8458 Phone traveling south on ID state highway 95 to Genesee, ID, then traveling west towards Uniontown, ID, and then north back into Pullman, WA. At approximately 5:30 a.m., the 8458 Phone is utilizing resources that provide coverage to Pullman, WA and consistent with the phone traveling back to the Kohberger Residence. The 8458 Phone's movements are consistent with the movements of the white Elantra that is observed traveling north on Stadium Drive at approximately 5:27 a.m. Based on a review of the 8458 Phone's estimated locations and travel, the 8458 Phone's travel is consistent with that of the white Elantra.

Further review indicated that the 8458 Phone utilized cellular resources on November 13, 2022 that are consistent with the 8458 Phone leaving the area of the Kohberger Residence at approximately 9:00 a.m. and traveling to Moscow, ID. Specifically, the 8458 Phone utilized cellular resources that would provide coverage to the King Road Residence between 9:12 a.m. and 9:21 a.m. The 8458 Phone next utilized cellular resources that are consistent with the 8458 Phone traveling back to the area of the Kohberger Residence and arriving to the area at approximately 9:32 a.m.

Below is a depiction (not to scale) of the possible route taken based off of cellular site locations:



Investigators found that the 8458 Phone did connect to a cell phone tower that provides service to Moscow on November 14, 2022, but investigators do not believe the 8458 Phone was in Moscow on that date. The 8458 Phone has not connected to any towers that provide service to Moscow since that date.

Based on my training, experience, and the facts of the investigation thus far, I believe that Kohberger, the user of the 8458 Phone, was likely the driver of the white Elantra that is observed departing Pullman, WA and that this vehicle is likely Suspect Vehicle 1. Additionally, the route of travel of the 8458 Phone during the early morning hours of November 13, 2022 and the lack of the 8458 Phone reporting to AT&T between 2:47 a.m. and 4:48 a.m. is consistent with

Kohberger attempting to conceal his location during the quadruple homicide that occurred at the King Road Residence.

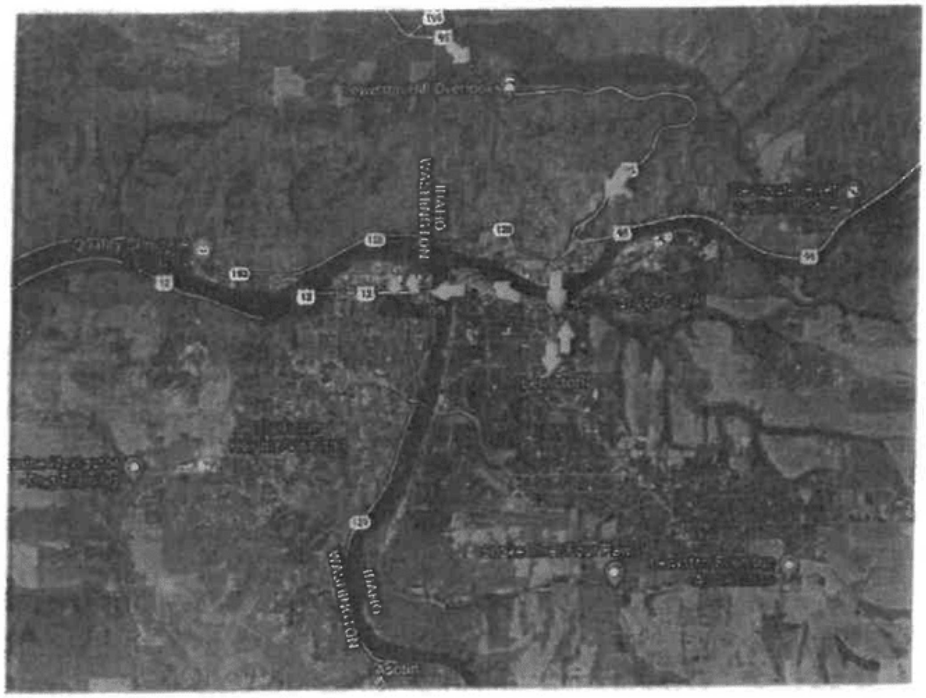
On December 23, 2022, I was granted a search warrant for Kohberger's historical CSLI from June 23, 2022 to current, prospective location information, and a Pen Register/Trap and Trace on the 8458 Phone to aid in efforts to determine if Kohberger stalked any of the victims in this case prior to the offense, conducted surveillance on the King Road Residence, was in contact with any of the victims' associates before or after the alleged offense, any locations that may contain evidence of the murders that occurred on November 13, 2022, the location of the white Elantra registered to Kohberger, as well as the location of Kohberger.

On December 23, 2022 pursuant to that search warrant, investigators received historical records for the 8458 Phone from AT&T from the time the account was opened in June 2022. After consulting with the CAST SA, investigators were able to determine estimated locations for the 8458 Phone from June 2022 to present, the time period authorized by the court. The records for the 8458 Phone show the 8458 Phone utilizing cellular resources that provide coverage to the area of 1122 King Road on at least twelve occasions prior to November 13, 2022. All of these occasions, except for one, occurred in the late evening and early morning hours of their respective days.

One of these occasions, on August 21, 2022, the 8458 Phone utilized cellular resources providing coverage to the King Road Residence from approximately 10:34 p.m. to 11:35 p.m. At approximately 11:37 p.m., Kohberger was stopped by Latah County Sheriff's Deputy Corporal Duke, as mentioned above. The 8548 Phone was utilizing cellular resources consistent with the location of the traffic stop during this time (Farm Road and Pullman Highway).

Further analysis of the cellular data provided showed the 8458 Phone utilized cellular resources on November 13, 2022 consistent with the Phone travelling from Pullman, Washington to Lewiston, Idaho via US Highway 195. At approximately 12:36 p.m., the 8458 Phone utilized cellular resources that would provide coverage to Kate's Cup of Joe coffee stand located at 810 Port Drive, Clarkston, WA. Surveillance footage from the US Chef's Store located at 820 Port Drive, Clarkston, WA and adjacent to Kate's Cup of Joe showed a white Elantra, consistent with Suspect Vehicle 1, drive past Kate's Cup of Joe at a time consistent with the cellular data from the 8548 Phone.

At approximately 12:46 p.m., the 8458 Phone then utilized cellular data in the area of the Albertson's grocery store at 400 Bridge Street in Clarkston, Washington. Surveillance footage obtained from the Albertson's showed Kohberger exit the white Elantra, consistent with Suspect Vehicle 1, at approximately 12:49 p.m. Interior surveillance cameras showed Kohberger walk through the store, purchase unknown items at the checkout, and leave at approximately 1:04 p.m. Kohberger's possible path of travel is depicted below (not to scale):



Additional analysis of records for the 8458 Phone indicated that between approximately 5:32 p.m. and 5:36 p.m., the 8458 Phone utilized cellular resources that provide coverage to Johnson, WA. The 8458 Phone then stops reporting to the network from approximately 5:36 p.m. to 8:30 p.m. That is consistent with the 8458 Phone being the area that the 8458 Phone traveled in the hours immediately following the suspected time the homicides occurred.

The King Road Residence contained a significant amount of blood from the victims including spatter and castoff (blood stain pattern resulting from blood drops released from an object due to its motion) which, based on my training, makes it likely that this evidence was transferred to Kohberger's person, clothing, or shoes. Based on the locations of the suspect vehicle and the 8458 phone immediately following the murders, it is probable that Kohberger went home to his residence at 1630 NE Valley Rd, G201. At that time, it is likely that he still had blood or other trace evidence on his person/clothes/shoes, including skin cells or hair from

the victims or from Goncalves' dog. It is likely that some trace evidence was transferred to areas in his apartment through contact with the items worn during the attack. One likely location for the clothes/mask/shoes that he was wearing during the attack would be his residence. While I believe Kohberger is visiting family in Pennsylvania over the current school break at WSU, I believe he intends to return for the start of the next semester, so I expect his belongings to still be in his residence at 1630 NE Valley Rd, G201.

To-date, we have not recovered the weapon used in the homicides which would indicate that he took it with him from the scene. Based on my training, that weapon will likely contain trace evidence on it, such as blood or skin or hair from the crime scene. One likely location for the weapon or any sheath for the weapon would be his residence.

Based on my training and experience when someone plans an event or action, one likely location for doing so is in their residence or office. One would not want to conduct such planning in public if they are planning a criminal act, and so it is even more likely that planning of a criminal act would be done in one's residence or office. These murders appear to have been planned, rather than a crime that happened in a moment of conflict. I believe it likely that Kohberger planned his actions ahead of time. The plans may have included a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road Residence, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or I. D.M. Further based on my training and experience criminals utilize electronic digital devices as well as paper or other media in conducting planning of crimes, just as non-criminals use various media to plan activities. Therefore there is probable cause to believe that digital devices were used

and/or are being used in furtherance of the listed crime(s) or to avoid detection for the listed crimes, and likely contain evidence of the listed crimes.

Evidence of the crimes described in this application could be contained in any type of digital device. The terms "digital device" and "device" include all devices capable of capturing and/or storing digital data, such as computers, digital cameras, modems, routers, external memory drives, thumb drives, cellular telephones, GPS navigation devices, etc. Data stored on digital devices and media can be easily transferred from one device or storage media to another. Forensic experts and others with experience in retrieving and analyzing digital data have established the following:

Digital devices typically retain some evidence of all activity taken via the device or associated media; and, as such, could contain evidence of crime. For example, data, whether stored intentionally or unintentionally, can contain evidence of knowledge, intent, efforts to conceal, sell or dispose of evidence or proceeds of criminal activity, accomplice identity, association with victims, or geographic location of the device possessor at particular dates and times. This information can be in numerous forms, such as photographs; address books or contact lists; or communications with others through means such as phone calls, email, instant messaging, social media, chat sessions, or other digital communications.

Evidence can remain on the device or media for indefinite periods of time after the communication originally took place, even if deleted by the user. Information deleted by the user may be recovered by a forensic examiner throughout the working life span of the device.

Digital data can be found in numerous locations, and formats. Evidence can be embedded into unlikely files for the type of evidence, such as a photo included in a document or

converted into a PDF file or other format in an effort to conceal their existence. Information on devices and media can be stored in random order; with deceptive file names; hidden from normal view; encrypted or password protected; and stored on unusual devices for the type of data, such as routers, printers, scanners, game consoles, or other devices that are similarly capable of storing digital data.

Wholly apart from user-generated files and data, digital devices and media typically store, often without any conscious action by the user, electronic evidence pertaining to virtually all actions taken on the digital device, and often information about the geographic location at which the device was turned on and/or used. This data includes logs of device use; records of the creation, modification, deletion, and/or sending of files; and uses of the internet, such as uses of social media websites and internet searches/browsing.

Device-generated data also includes information regarding the user identity at any particular date and time; usage logs and information pertaining to the physical location of the device over time; pointers to outside storage locations, such as cloud storage, or devices to which data may have been removed, and information about how that offsite storage is being used. If the device is synced with other devices, it will retain a record of that action. Digital device users typically do not erase or delete this evidence, because special software or use of special settings are usually required for the task. However, it is technically possible to delete this information.

Digital devices can also reveal clues to other locations at which evidence may be found. For example, digital devices often maintain logs of connected digital or remote storage devices. A scanner or printer may store information that would identify the digital device with which it was used. Forensic examination of the device can often reveal those other locations where evidence may be present.

As with other types of evidence, the context, location, and data surrounding information in the device data is often necessary to understand whether evidence falls within the scope of the warrant. This type of information will be important to the forensic examiner's ability to piece together and recognize evidence of the above-listed crimes.

Digital device programs frequently require passwords, phrases, codes, patterns, fingerprints, and/or usernames to operate. Those may be kept inside a device/media, or outside in some other area known to the user. So, in addition to searching a digital device and media for evidence of the above-listed crime(s), investigators will need to search both the premises searched, and the digital device(s) for this information.

The forensic examiner may also need the following items in order to conduct a thorough and accurate search of the devices: computer hardware, software, peripherals, internal or external storage devices, power supplies, cables; internet connection and use information; security devices; software; manuals; and related material.

Modern digital devices and media can contain many gigabytes and even terabytes of data. Due to the potential for an extremely large volume of data contained in devices and media, and that fact that evidence can be stored/located in unanticipated locations or formats and/or embedded in other items stored on the device/media, investigators typically need to use specialized equipment in their search. Such large volumes of data also mean that searches can take days or even weeks to complete. For these reasons, I request authority to remove from the search location all digital devices and media that could contain evidence authorized for seizure under the warrant for subsequent search.

I also request authority to obtain assistance from a technical specialist, to review the digital device(s) and digital media for the best and least intrusive method of securing digital evidence that this warrant authorizes for seizure, and to assist in securing such evidence.

Based on all the foregoing information, there is probable cause to believe that evidence of the above-listed crimes exists in the below described digital devices and that there is probable cause to seize and search those devices for the evidence of the above crimes for the date range August 21, 2022 to 11:59 p.m. on November 14, 2022 including:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen B.F. and/or D.M.
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and

images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;

- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Based on ISP Investigators view of the apartment on December 27, 2022, I know that 1630 NE Valley Road is a three story, multiple occupancy apartment building in Pullman, WA which is tan and white in color. Apartment G201 is located on the northeast corner of the second story of this building. The door to G201 is located on the east side of the second story landing and is designated by the numbers "201" on the door. The door is white, with a swinging screen door on the outside of the main door to the residence. Kohberger has been identified as the occupant of this apartment on leasing documents obtained via subpoena as part of this investigation. Investigators have been informed via the postal inspector that Kohberger is the only person receiving mail at Apartment G201, this leads investigators to believe he is the sole occupant.

Based on all of the above information, I conclude that there is a probability that Kohberger committed the four murders at the King Road Residence. I have probable cause to believe evidence of the crimes committed at the King Road Residence will be found at Kohberger's Residence located at 1630 NE Valley Road, Apt.G201, Pullman, WA. I have probable cause to believe that Bryan Kohberger committed the crimes of Murder First Degree, Idaho Code 18-4001, 4002, 4003, 4004 in four counts and Burglary, I.C. 18-1401, 1403, all Felonies. Mr. Kohberger has been charged with the above offenses in Latah County, Idaho.

Based on all of the above information, I am seeking a search warrant for the Kohberger Residence, to search for:

1. Blood, or other bodily fluid or human tissue or skin cells, or items with blood or other bodily fluid or human tissue or skin cells on the items.
2. Knives, sheaths, or other sharp tools, including any dagger, dirk, or sword, and any written indicia of ownership of same, including sales receipts.
3. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.
4. Clothing, including but not limited to dark shirt(s), dark pant(s), mask(s), shoes with diamond pattern sole.
5. Trace evidence including DNA from blood or skin cells or other source, footprints, fingerprints, hair (whether human or animal/dog).
6. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ; and data compilations showing the location of Bryan Kohberger, or the cell phone with number 509-592-8458, on November 13, 2022,

including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cell phones or computer towers/laptops/tablets. As example, but not intended to be an exclusive list of data compilations being sought: ledgers, papers, lists, books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

7. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;

- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;

- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F., and/or D.M.,

- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;

- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

8. Indicia of residence in, or ownership or possession of, the premises and any of the above items.

I am seeking a search warrant for Kohberger's office at WSU to search for:

1. Any images, whether digital or on paper or any other format, which show Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. and/or the house at 1122 King Road, Moscow, ID and/or the surrounding neighborhood.
2. Data compilations (whether digital/electronic or on paper or other format) showing an interest in, or planning of, murder, violent assault, stabbing and/or cutting of people; and data compilations showing details of the 1122 King Road house, its location, and/or any information about Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ; and data compilations showing the location of Bryan Kohberger, or the cell phone with number 509-592-8458, on November 13, 2022, including wi-fi logs and data or meta-data associated with photos, social media posts, or applications on cell phones or computer towers/laptops/tablets. As example, but not intended to be an exclusive list of data compilations being sought: ledgers, papers, lists,

books, notes, letters, calendars, address books, contact lists, diaries, tapes, photographs, videos, emails, text messages, social media posts/messages, and meta-data associated therewith.

3. Electronic / digital devices or digital storage devices which may contain any of the above data compilations, including cell phones, computer towers/laptops/tablets, external hard drives, CD/DVD/Thumbdrive or other data storage devices. This includes any device which may contain:

- Evidence of other accounts associated with this device including email addresses, social media accounts, messaging "app" accounts, and other accounts that may be accessed through the digital device that will aid in determining the possessor/user of the device;
- Photographs, images, videos, documents, and related data created, accessed, read, modified, received, stored, sent, moved, deleted or otherwise manipulated between the above dates;
- Evidence of use of the device to conduct internet searches relating to a review of other murders or violent assaults/stabbing and/or cutting of people, as well as how to avoid detection after the commission of such crimes; details of the 1122 King Road house, its location/neighborhood, and/or information about one or more of the victims Ethan Chapin, Kaylee Goncalves, Xana Kernodle, Madison Mogen, B.F. , and/or D.M. ;
- Information that can be used to calculate the position of the device between the above dates, including location data; GPS satellite data; GPS coordinates for routes and destination queries between the above-listed dates; "app" data or usage information and related location information; IP logs or similar internet connection information, and

images created, accessed or modified between the above-listed dates, together with their metadata and EXIF tags;

- Evidence of the identity of the person in possession of the device on or about any times that items of evidentiary value, located pursuant to this warrant, were created modified, accessed or otherwise manipulated. Such evidence may be found in digital communications, photos and video and associated metadata, IP logs, documents, social media activity, and similar data;

Also, passwords, phrases, codes, patterns, fingerprints, and/or user names to operate any such device.

4. Indicia of ownership or possession or right to use of, the office premises and any of the above items.

Based off the above information, I am also seeking a search warrant for Kohberger's office on the Washington State University Campus. I have probable cause to believe evidence of the crimes committed at the King Road Residence will be found in Kohberger's office located on the WSU campus at Wilson-Short Hall, #12, Pullman, WA. It is common for individuals to keep documents, records, and information of the type described above in their office and Kohberger's office is the other location identified where this evidence could be found. Based off of the WSU website Kohbergr's office is inside Wilson-Short Hall. The address of Wilson-Short Hall is 1475 Glenn Terrell Mall, Pullman, WA 99163. Wilson-Short Hall is a four-story brick building housing multiple offices. Kohberger's office is #12. #12 is a student office shared by Kohberger and two fellow WSU students, Kai-Xuan Chen and Nayoung Ko. Kohberger has been confirmed to be one of the students who utilizes this office. On December 29, 2022 Investigators visited the

office and Kohberger's name in on the outside. Based off the above information, I am also seeking a search warrant for Kohberger's office on the Washington State University Campus. It is common for individuals to keep documents, records, and information of the type described above in their office and Kohberger's office is the other location identified where this evidence could be found.

I declare under penalty of perjury pursuant to the laws of the States of Idaho, Washington, and Pennsylvania, that the foregoing is true and correct.

12-29-22

Date

Affiant

SUBSCRIBED and SWORN to before me this 29th day of December, 2022.

MALLORY STREIGLE NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho.
Residing at 522 S. Adams St.
Commission expires 12/16/25

Washington State University Police Department

Officer Report for Incident 22-W4386

Nature: Agency Assist
Address: 2201 E GRIMES WAY; PUBLIC SAFETY BLDG
Location: WSUPA
PULLMAN WA 99163

Offense Codes: AOA, SRCH
Received By: Reyna Winters **How Received:** T **Agency:** WSUP
Responding Officers: Dawn Daniels
Responsible Officer: Dawn Daniels **Disposition:** CLO 03/13/23
When Reported: 16:42:04 12/30/22 **Occurred Between:** 16:42:04 12/30/22 and 16:42:04 12/30/22

Assigned To: **Detail:** **Date Assigned:** **/**/**
Status: **Status Date:** **/**/** **Due Date:** **/**/**

Complainant:
Last: **First:** **Mid:**
DOB: **/**/** **Dr Lic:** **Address:**
Race: **Sex:** **Phone:** **City:** ,

Offense Codes

Reported: AOA Assist Outside Agency **Observed:**
Additional Offense: AOA Assist Outside Agency
Additional Offense: SRCH Search Warrant

Circumstances

LT52 School-College/University
SUN Suspectd using Not Applicable
BM88 No Bias
VIDEO VIDEO AVAILABLE W/REPORT

Responding Officers: **Unit :**
Dawn Daniels 302

Responsible Officer: Dawn Daniels **Agency:** WSUP
Received By: Reyna Winters **Last Radio Log:** 16:43:16 12/30/22 CMPLT
How Received: T Telephone **Clearance:** RR Final Rpt Received by Records
When Reported: 16:42:04 12/30/22 **Disposition:** CLO **Date:** 03/13/23
Judicial Status: **Occurred between:** 16:42:04 12/30/22

Misc Entry: P/kkw **and:** 16:42:04 12/30/22

Modus Operandi: **Description :** **Method :**

Involvements

Date	Type	Description

Narrative

RVWD: GJ / 301 OFC: dd/302

WASHINGTON STATE UNIVERSITY
POLICE DEPARTMENT

CASE #: 22-W4386

SYNOPSIS: Agency assist for Moscow Police Department.

NAME/DOB	ACTION	OFFENSE	CITE/SECTOR#
1.			
2.			

NARRATIVE:

On 12-29-22 our department was advised Prosecutor Denis Tracy would be writing a warrant for our department to serve regarding the Moscow PD homicide investigation. I was provided copies of the warrant and the application for the warrant to review, as well as the statement from Sergeant Dustin Blaker of Moscow PD transferring the probable cause to me. I read all the documents and after reading, understanding, and agreeing with them, I signed a copy of the application for search warrant and sent it to PA Tracy to put before Superior Court Judge Gary J. Libey. At approximately 2128 hours, I was notified the warrants had been signed by Judge Libey for the residence of the suspect, located at Steptoe Apartments G201, and for the office located at Wilson-Short Hall room 12.

At approximately 2238 hours, I was advised by Sgt. Blaker the suspect, Bryan Kohberger, had been taken into custody in Pennsylvania. I was advised there was a team coming from Idaho to sit on the two locations in Pullman, WA until we served the search warrants. I was told the warrants would be served the next morning on 12-30-22 at approximately 0700 hours. When the team from ID arrived for the office space, I let them into Wilson-Short Hall and where they would stay to watch the room. The two who I let into the hallway near the office were Det. Snell and Det Lehman of Idaho State Patrol. They advised a team was already set up near the apartment to watch the residence.

On 12-30-22 at approximately 0650 hours, WSU Police Sergeant Kelly Stewart, Officers Joe Kirshner and Dillon Tiedeman-Mueller and I, met in the Steptoe Apartments parking lot and waited for MPD to arrive. When they arrived, we briefed the officers on how we would make entry into the apartment and clear it. At approximately 0714 hours, I put us on emergency radio traffic, and we proceeded to the landing outside the apartment door. After donning foot coverings and gloves, we turned on our body cameras and knocked and announced on the door of G201. After knocking and announcing three times, we keyed into the residence. We held at the door and did another announcement before entering the residence.

We cleared each room of the residence and we all exited the residence, leaving the front door ajar. During our entry, the bedroom in the northwest corner was found to be locked, and we had to key into the room. I know based on my experience that WSU Housing often secures any rooms in an apartment not being leased. In this apartment there are two bedrooms and only one subject on the lease. It is for this reason, I believe there was no one residing in the room and it had not been accessed by the resident of the apartment. I also observed the room appeared to have been vacuumed, cleaned, and not occupied. I advised the crime scene techs of this after we exited the apartment. We also noticed while clearing the apartment, it was sparsely furnished, and fairly empty of belongings, including no shower curtain in the bathroom and the trash cans appeared empty.

After exiting the apartment, I stayed near the front door observing while the Idaho Crime Scene Technicians took over documenting the building. When they were ready, I made entry with the team who did the video documentation of the residence. I read the search warrant out loud on my body camera which was later downloaded to digital evidence. Once they were done filming, we stepped outside so the residence could be photographed and documented. All crime scene logs, photographs, filming, and collection was done by the Idaho Crime Scene Technicians. I remained on scene with them during this process, observing.

At approximately 1408 hours, the crime scene techs and I took a break. Everyone exited the residence, and Officer Aaron Lang was left guarding the front door. During the time we were gone, no one entered the residence. We resumed the search when we finished our break. While searching the apartment, we found a round padlock in the entry way closet, which I recognized as being used for storage facilities. A key for the lock was also located on the tv stand in the living room underneath keys that appeared to be for Kohberger's office. I had Ofc. Kirshner contact the Apartment Coordinator to see if residents of Steptoe Apartments have storage closets assigned to them. He stated they did, and I had Sgt. Petlovany see if there was a closet assigned to G201. Sgt. Petlovany went to building F where the closets are located, and stated there was a closet for G201 and the door to the closet was ajar. He stated the closet appeared to be empty. Based on this information, I contacted Judge Libey and applied to have the search warrant amended to include the storage closet to search for possible trace evidence and possible DNA evidence. The amendment was granted at approximately 1613 hours. The amendment was done telephonically and was recorded on my body camera which was later downloaded to digital evidence.

When the search of the apartment was complete, we went to the storage closet. There were cobwebs going into the storage closet and the floor was dusty. It did not appear the closet had been used recently and nothing was seized or collected from the closet.

I left a copy of the amended warrant for the residence and storage closet, along with a log of items seized from the apartment on the couch. A photograph of this was taken and later downloaded to digital evidence. At approximately 1932 hours, we exited the apartment, secured the residence, and cleared the scene. I transported all the items seized to WSU Police Department where it was stored in evidence locker 35. All the items remained stored in Locker 35 until they were transferred to Idaho State Police. After a short break at the station, we proceeded to Wilson-Short room 12. I knocked and announced outside the door several times. I then keyed into the room and made sure there was no one inside. The warrant was read, and it was documented the room appeared to be fairly empty except for items on one desk which was labeled as belonging to one of the office mates. The desk designated as Kohberger's by a drawing of the

room on the white board above the desk, was empty. When we were finished documenting the room, I secured the door and we cleared. Nothing was seized from the office.

I later realized I did not leave a copy of what samples were collected from the apartment with the warrant and log of items seized. I later returned to the apartment and attempted to slide an amended log under the door, but the door was sealed too tight to allow the envelope to pass through. I also advised the PA of the issue.

On 12-31-22 I prepared the Return of Service of Search Warrant for both the office, and the residence. The returns were provided to PA Tracy who will present them to Judge Libey on 01-03-23. An order to seal all of the documents was also presented to Judge Libey and was granted.

I certify and declare under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

Dated this 13th day of January, 2023, in Pullman, Washington.

_____ _____

Officer Signature Badge#

Dawn Daniels, 302

Washington State University Police Department

Supplement

RVWD: GJ/301 LT: OFC: dd/302

WASHINGTON STATE UNIVERSITY POLICE DEPARTMENT

CASE #: 22-W4386

SUPPLEMENTAL NARRATIVE:

On 01-10-23 at approximately 1120 hours, I met with the defense attorney and three others from her team for Kohberger at this residence. They showed me a piece of paper signed by Kohberger granting permission to enter his apartment to remove the WSU office keys that had been seen sitting on the tv stand during the warrant service. At approximately 1125 hours I unlocked the door and provided them entry into the apartment. They went to the tv stand and provided me the two keys I had recognized as belonging to WSU. The key numbers were U124 and Z261. I later confirmed these keys access the office, room 12 in Wilson-Short Hall, and other spaces in the criminal justice department of Wilson-Short Hall.

While at the apartment I explained to the attorney I had forgotten to include the three samples taken from the apartment and provided her a copy of the return of search. She took the return of search, and took the copy of the amended warrant and items seized log from the couch. Members of her team took photographs of the apartment and removed a receipt from a cupboard in the bathroom. I believe they may have taken some other paperwork items from the living room. I remained outside the door during this time.

At 1141 hours we all exited the apartment and I secured the door. I cleared the residence. Later in the day I took the two keys to the criminal justice department and turned the keys over to the Chair of the Department, Melanie-Angela Neuilly.

I certify and declare under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

Dated this 13th day of January, 2023, in Pullman, Washington.

_____ _____

Officer Signature Badge#

Dawn Daniels, 302

Washington State University Police Department

Supplement

RVWD: GJ/301 LT: OFC: KDS/326

WASHINGTON STATE UNIVERSITY POLICE DEPARTMENT

CASE #: 22-W4386

SUPPLEMENTAL NARRATIVE:

On 01/19/23 at approximately 1515 hours, I was asked to meet with Bryan Kohberger's defense team which consisted of Anne C. Taylor (070365), Michael P. McCarthy (111068) and Jennifer L. Jenquine (120682) for assistance gaining access to Bryan Kohberger's residence.

Upon contact with Taylor, she showed me a signed letter from Bryan Kohberger granting Taylor's defense team access to his apartment to gather some of his belongings but didn't let me keep the paperwork. Taylor stated they would email me a copy of the paperwork for my records. I opened the door and granted the three of them access to his apartment.

They removed a flat screen tv, a computer monitor, a small box of with misc. papers and receipts, a laundry basket with full of books and a medium sized box that I couldn't see the contents. They were at the apartment for approximately 10 minutes and advised I could lock the door after they left. I secured Kohberger's apartment by locking the deadbolt.

Before leaving, I provided Taylor with my business card and asked that she send the paperwork they showed me for access to Kohberger's apartment. Taylor told me she would. As of 012423, I haven't received any emails from Taylor or her team.

Nothing further.

I certify and declare under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

Dated this __24th__ day of __January_____, 2023, in Pullman, Washington.
K. Stewart #326

_____ _____
Officer Signature Badge#

Washington State University Police Department

Washington State University Police Department

Officer Report for Incident 23-W0012

Nature: Civil
Address: 2201 E GRIMES WAY; PUBLIC SAFETY BLDG
Location: WSUPA
PULLMAN WA 99163

Offense Codes: CIVI
Received By: K Will **How Received:** I **Agency:** WSUP
Responding Officers:
Responsible Officer: Dawn Daniels **Disposition:** CLO 01/13/23
When Reported: 10:59:42 01/03/23 **Occurred Between:** 10:59:42 01/03/23 and 10:59:42 01/03/23

Assigned To: **Detail:** **Date Assigned:** **/**/**
Status: **Status Date:** **/**/** **Due Date:** **/**/**

Complainant:
Last: **First:** **Mid:**
DOB: **/**/** **Dr Lic:** **Address:**
Race: **Sex:** **Phone:** **City:** ,

Offense Codes

Reported: **Observed:**
Additional Offense: CIVI Civil Process

Circumstances

LT52 School-College/University
BM88 No Bias
SUN Suspectd using Not Applicable

Responding Officers: **Unit :**

Responsible Officer: Dawn Daniels **Agency:** WSUP
Received By: K Will **Last Radio Log:** **:**:** **/**/**
How Received: I IM/Electronic **Clearance:** CR Computer Report Only
When Reported: 10:59:42 01/03/23 **Disposition:** CLO **Date:** 01/13/23
Judicial Status: **Occurred between:** 10:59:42 01/03/23
Misc Entry: **and:** 10:59:42 01/03/23

Modus Operandi: **Description :** **Method :**

Involvements

Date	Type	Description	
01/03/23	Name	KOHBERGER, BRYAN CHRISTOPHER	SERVED

Narrative

RVWD: dd/302

WASHINGTON STATE UNIVERSITY POLICE DEPARTMENT

Case pulled to document civil paper service. Trespass Admonition given to Chief Jenkins to be served to Bryan C. Kohberger. Papers were sent to the jail in Pennsylvania and served to Kohberger by Officer J. Garcia on 12-31-22 at approximately 1216 hours at the Monroe County Jail.

Papers successfully served and returned to Chief Jenkins.

kkw/343

Name Involvements:

SERVED : 506725

Last: KOHBERGER **First:** BRYAN **Mid:** CHRISTOPHER

DOB: 11/21/94 **Dr Lic:** [redacted] **Address:** 1630 NE VALLEY RD; G201

Race: W **Sex:** M **Phone:** (509)592-8458 **City:** PULLMAN, WA 99163

01/03/23 Washington State University Police Department 4057
12:01 Service Worksheet Page: 1

Want Number: 53275 Case Number: 22-W4386

Personal Description:

Name Number: 506725
Name: KOHBERGER, BRYAN C DOB: 11/21/94 Gender: M
Street: 1630 NE VALLEY RD; G201 City: PULLMAN St: WA
Hgt. 6'00" Wgt. 185 Eye: Blue Hair: Brown
Scar\Mark:
SSN: - - Picture Available: [ ] Yes [ ] No

Address	Deputy	Time	Date	Service
4256 Manor Dr. Monroe County Jail	Officer J. Garcia	1216	12/31/22	Served

CCW Before [ ] Yes [ ] No Violent History Known [ ] Yes [ ] No

Remarks: Papers served at jail and signed. Paper sent back to Chief Jenkins.

Warrant Information: Date Issued: 12/30/22

Charge: Tresspass Admonition - Kohberge Court: WSU Docket:
Judge: Chief Jenkins Bond Amount: 0.00 Crime Class:

Enter NCIC [ ] Yes [ ] No Enter ST Warrants [ ] Yes [ ] No
Date: __-__-____

Vehicle Information:

Make: Model: Year: Lic. Num.
Color:

WASHINGTON STATE UNIVERSITY

Office of Public Safety
Gary Jenkins, Chief of Police

Trespass Admonition

Date: December 30, 2022

Addressee: Bryan Kohberger (DOB: 11-21-1994)

Address: 1630 NE Valley Rd G201
Pullman, WA 99163

RE: Trespass Admonition

This admonition is to inform you that you have been trespassed from all areas of Washington State University campuses. This includes all buildings, sidewalks, breezeways, courtyards, access roads, and parking lots and any other Washington State University campus property. This admonition is effective immediately and will continue until pending student conduct charges have been resolved and you have been given permission in writing to return to campus.

Trespassed means that your privilege to be on or in the area(s) listed above has been revoked or denied by Washington State University. If you are found in the area(s) listed above in violation of this admonition, or if at the conclusion of an investigation it is determined you were actually in or on the area(s) listed above in violation of this admonition, you may be subject to arrest and prosecution for Criminal Trespass under RCW 9A.52.070 or 9A.52.080.

If you have a legitimate business need with Washington State University you must be escorted by an official with Washington State University, and arrangements for such escort must be made prior to you entering the area(s) listed above. This means you must make arrangements with WSU Police 509-335-8548 before coming on campus for any reason.

Sincerely,

Gary Jenkins, Chief of Police
Washington State University

I acknowledge that I have read the forgoing trespass admonition/notice.

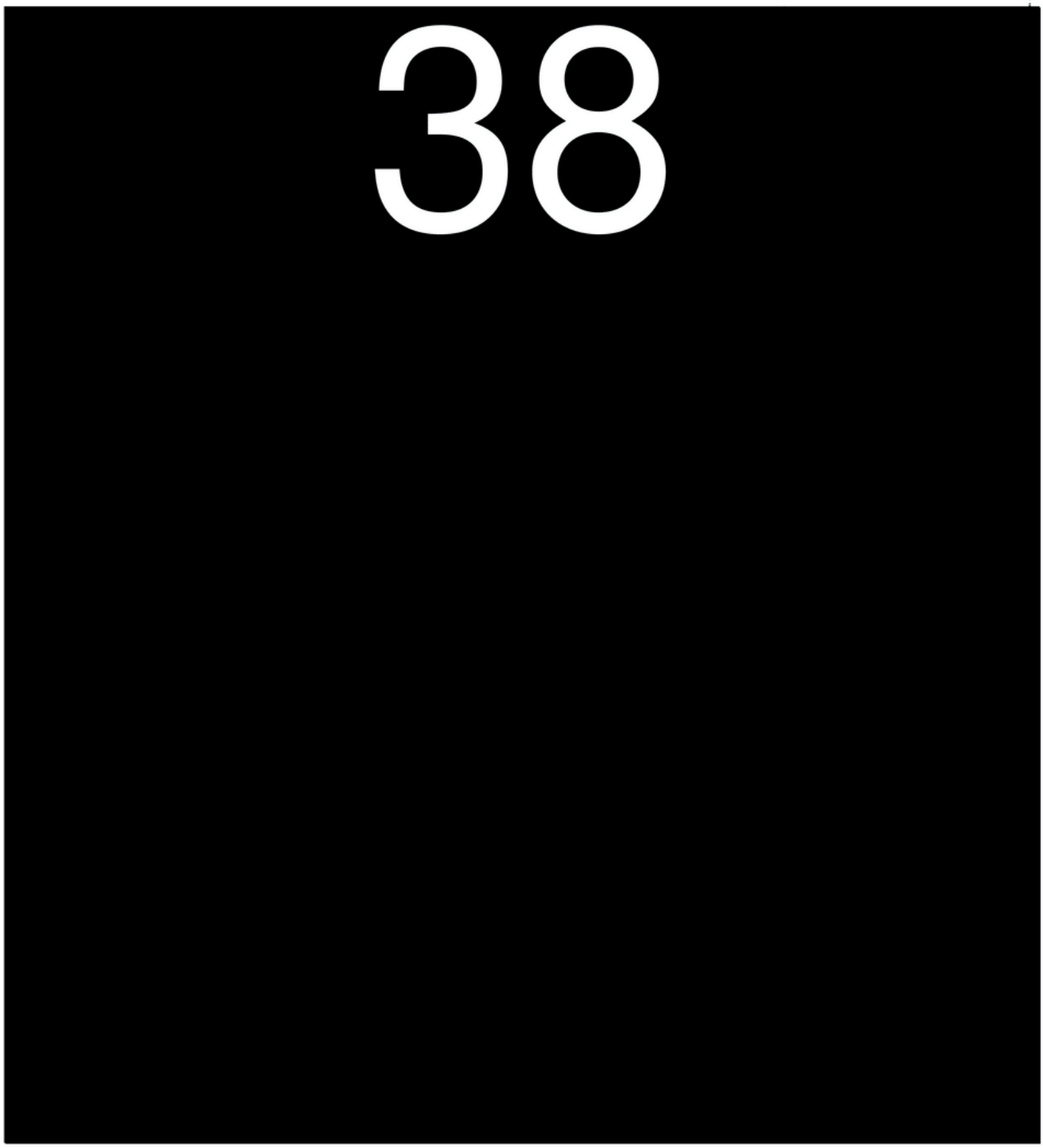
Bryan C. Kohberger	12.31.2022	Bryan.
Bryan Kohberger	Date	Signature of person served

I have personally served or read (circle one) the forgoing trespass admonition/notice to the above-named Addressee and have left a copy of the admonition/notice for said Addressee.

J. GARCIA 151	12/31/2022	GARCIA 151
Name of person serving	Date	Signature of person serving

WASHINGTON STATE UNIVERSITY

Office of the Dean of Students



122 French Administration, PO Box 64013, Pullman WA 99164-1013
509.335.5757 | Fax: 509.335.1268 | deanofstudents@wsu.edu | deanofstudents.wsu.edu

38